



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 25]
No. 25]

नई दिल्ली, शनिवार, जून 18, 1977/ज्येष्ठ 28, 1899
NEW DELHI, SATURDAY, JUNE 18, 1977/JYAISTHA 28, 1899

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

विधि, न्याय तथा कम्पनी कार्य मंत्रालय

(न्याय विभाग)

नोटिस

नई दिल्ली, 27 मई, 1977

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Justice)

NOTICE

New Delhi, the 27th May, 1977

क्रा० प्रा० 1982—इसके द्वारा, लेख्य प्रमाणक, नियम (नोटरीज रूल्स), 1956 के नियम 6 के अनुसार, सक्षम प्राधिकारी द्वारा सूचना दी जाती है कि उक्त प्राधिकारी को श्रीमती गानवती सक्सेना, एडवोकेट, उज्जैन ने उक्त नियमों के नियम 4 के अधीन, उज्जैन में लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिए आवेदन-पत्र भेजा है।

उक्त व्यक्ति की लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियां हों तो वे इस नोटिस के प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिए जाएं।

[संख्या 22/26/77-न्याय]

आर० वासुदेवन, सक्षम प्राधिकारी

S.O. 1982.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Smt. Gyanvati Saxena, Advocate, Ujjain for appointment as a Notary to practise in Ujjain.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 22/26/77-Jus.]

R. VASUDDEVAN, Competent Authority

बिस्व मंत्रालय

(राजस्व और बैंकिंग विभाग)

(राजस्व पक्ष)

आदेश

नई दिल्ली, 1 जून, 1977

स्टाम्प

का० आ० 1983—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा उस शुल्क से, जो पंजाब विधायी विनियम द्वारा 1976-77 के दौरान जारी एक करोड़ दस लाख रुपये मूल्य के डेबेंचरों पर उक्त अधिनियम के अधीन प्रभावी है, छूट देनी है।

[सं० 15/77-स्टाम्प—का० सं० 33/29/77-बि०कर]

स० श्री० रामस्वामी, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue and Banking)

(Revenue Wing)

ORDER

New Delhi, the 1st June, 1977

STAMPS

S.O. 1983.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899) the Central Government hereby remits the duty with which the debentures to the value of one crore and ten lakhs rupees issued by the Punjab Financial Corporation during 1976-77 are chargeable under the said Act.

[No. 15/77-Stamp—F. No. 33/29/77-ST]

S. D. RAMASWAMY, Under Secy.

नई दिल्ली, 23 दिसम्बर, 1976

आय-कर

का० आ० 1984.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "ऐक्शन फॉर वाटर डेवलपमेंट मैसूर सोसाइटी, बंगलौर" को उक्त धारा के प्रयोजनों के लिए निर्धारण वर्ष 1976-77 के लिए तथा उस वर्ष में अधिसूचित करनी है।

[सं० 1596/का० सं० 197/120/76-आ० क० (ए-1)]

New Delhi, the 23rd December, 1976.

INCOME-TAX

S.O. 1984.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Action for Water Development Mysore Society, Bangalore" for the purpose of the said section for and from assessment year(s) 1976-77.

[No. 1596/F. No. 197/120/76-IT(AI)]

नई दिल्ली, 6 जनवरी, 1977

आय-कर

का० आ० 1985.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित संस्थाओं को निर्धारण वर्ष 1973-74 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करनी है—

“(1) आर्मी वाइव्स वेलफेयर एसोसिएशन, नई दिल्ली

(2) डिसेबल्ड आर्मी पर्सनल विडोव्स एण्ड ऑर्फन्स फण्ड, नई दिल्ली।

[सं० 1615/का० सं० 197/115/76-आ० क० (ए-1)]

New Delhi, the 6th January, 1977.

INCOME-TAX

S.O. 1985.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the following institutions for the purpose of the said section for and from assessment year 1973-74.—

“(i) Army Wives Welfare Association, New Delhi,

(ii) Disabled Army Personnel, Widows and Orphans Fund, New Delhi.”

[No. 1615/F. No. 197/115/76-IT(AI)]

शुद्धि-पत्र

नई दिल्ली, 24 जनवरी, 1977

आय-कर

का० आ० 1986.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिसूचना सं० 1472 तारीख 4-9-76 में निम्नलिखित रूप में मशौखत करनी है, अर्थात्—

“निर्धारण वर्ष 1976-77” शब्दों के स्थान पर

“निर्धारण वर्ष 1973-74” पढ़ें।

[सं० 1634/का० सं० 197/45/76-आय-कर(ए०-1)]

CORRIGENDUM

New Delhi, the 24th January, 1977

INCOME-TAX

S.O. 1986.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby amends the notification number 1472 dated 4-9-1976 as below—

For the words “Assessment year 1976-77”

Read “Assessment year 1973-74”.

[No. 1634/F. No. 197/45/76-IT(AI)]

नई दिल्ली, 25 जनवरी, 1977

आय-कर

का० आ० 1987.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, “रेल सुरक्षा कल्याण निधि, नई दिल्ली” की निर्धारण वर्ष 1976-77 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करनी है।

[सं० 1637/का० सं० 197/106/76-आ० क० (ए०-1)]

New Delhi, the 25th January, 1977

INCOME-TAX

S.O. 1987.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies 'Rail of the said section for Surakshak Kalyan Nidhi, New Delhi' for the purpose and from the assessment year 1977-78

[No 1637/F No 197/106 76-IT(AI)]

नई दिल्ली, 10 फरवरी, 1977

आय-कर

क्र० आ० 1988—केंद्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "विक्टोरिया मेमोरियल हॉल, कलकत्ता" को निर्धारण वर्ष 1974-75 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं 1657/क्र० सं 197/158/76-आ० व० (ए०1)]

New Delhi the 10th February, 1977

INCOME-TAX

S.O. 1988.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies 'Victoria Memorial Hall, Calcutta' for the purpose of the said section for and from assessment year 1974-75

[No 1657/F. No 197/158/76-IT(AI)]

नई दिल्ली, 21 फरवरी 1977

आय-कर

क्र० आ० 1989.—केंद्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "सोसाइटी आफ इमाकुलेट हार्ट आफ मेरी डिंडिगल" को उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

यह अधिसूचना निर्धारण वर्ष 1975-76, 1976-77 और 1977-78 के लिए प्रभावी होगी।

[सं 1662/क्र० सं 197/73/76-आ० व० (ए०1)]

New Delhi, the 21st February, 1977

INCOME-TAX

S.O. 1989.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies 'The Society of Immaculate Heart of Mary-Dindigul' for the purpose of the said section.

This notification shall have effect for the assessment years 1975-76, 1976-77 and 1977-78.

[No. 1662/F. No. 197/73/76-IT(AI)]

आय-कर

क्र० आ० 1990.—केंद्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कस्तूरबा गांधी नेशनल मेमोरियल ट्रस्ट, इन्दौर को निर्धारण वर्ष 1976-77 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं 1663/क्र० सं 197/180/76-आ० व० (ए०1)]

INCOME-TAX

S.O. 1990.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies 'Kasturba Gandhi National Memorial Trust, Indore' for the purposes of the said section for and from the assessment year 1976-77.

[No. 1663/F. No. 197/180/76-IT(AI)]

नई दिल्ली, 23 फरवरी, 1977

आय-कर

क्र० आ० 1991.—केंद्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय भूतपूर्व सैनिक लीग, नई दिल्ली (इंडियन एक्स सर्विस लीग, नई दिल्ली) को उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

यह अधिसूचना निर्धारण वर्ष 1976-77 और 1977-78 के लिए प्रभावी होगी।

[सं 1667/क्र० सं 197/93/76-आ० व० (ए०1)]

New Delhi, the 23rd February, 1977

INCOME-TAX

S.O. 1991.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies 'Indian Ex-Services League, New Delhi, for the purpose of the said section.

This notification shall have effect for the assessment years 1976-77 and 1977-78

[No 1167/F. No 197/93/76-IT(AI)]

नई दिल्ली, 28 मार्च, 1977

आय-कर

क्र० आ० 1992.—केंद्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "ग्रेटर कलकत्ता लेप्रसी ट्रीटमेंट और हेल्थ एजुकेशन स्कीम, कलकत्ता" को उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

यह अधिसूचना निर्धारण वर्ष 1976-77 से 1978-79 के लिए प्रभावी रहेगी।

[सं 1695/क्र० सं 197/177/76-आ० व० (ए०1)]

New Delhi, the 28th March, 1977

INCOME-TAX

S.O. 1992.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Greater Calcutta Leprosy Treatment & Health Education Scheme, Calcutta" for the purpose of the said section.

This notification will be effective for the assessment years 1976-77 to 1978-79.

[No. 1695/F. No 197/177/76-IT(AI)]

आय-कर

क्रा० आ० 1993.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "शारदा रंगनाथन पुस्तकालय विज्ञान विन्यास बंगलोर" को निर्धारण वर्ष 1976-77 के लिए और उस से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 1696/क्रा० सं० 197/75/76-आ० क० (ए० 1)]

INCOME-TAX

S.O. 1993.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sarada Ranganathan Endowment for Library Science Bangalore" for the purpose of the said section for and from assessment year 1976-77.

[No. 1696/F. No. 197/75/76-IT(AI)]

आय-कर

क्रा० आ० 1994.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "गोविन्द बल्लभ पंत स्मरणक सोसाइटी नई दिल्ली" का निर्धारण वर्ष 1975-76 के लिए और उस से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 1698/क्रा० सं० 197/168/76-आ० क० (ए० 1)]

INCOME-TAX

S.O. 1994.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Govind Ballabh Pant Memorial Society, New Delhi" for the purpose of the said section for and from assessment year 1975-76.

[No. 1698/F. No. 197/168/76-IT(AI)]

आय-कर

क्रा० आ० 1995.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय बाल कल्याण परिषद् नई दिल्ली को निर्धारण वर्ष 1976-77 और 1977-78 के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 1699/क्रा० सं० 197/165/76-आ० क० (ए० 1)]

एम० शास्त्री, प्रवर सचिव

INCOME-TAX

S.O. 1995.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Indian Council of Child Welfare, New Delhi" for the purpose of the said section for assessment years 1976-77 and 1977-78.

[No. 1690/F. No. 197/165/76-IT(AI)]

M. SHASTRI, Under Secy.

नई दिल्ली, 31 दिसम्बर, 1976

आय-कर

क्रा० आ० 1996.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (4)

द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "हरियाणा राज्य बाल कल्याण परिषद्, चण्डीगढ़ को उक्त धारा के प्रयोजनों के लिए, निर्धारण वर्ष 1972-73 के लिए तथा उस वर्ष से अधिसूचित करती है।

[सं० 1609/क्रा० सं० 197/111/76-आ० क० (ए० 1)]

टी० पी० भुनगुनवाला, निदेशक

New Delhi, the 31st December, 1976.

INCOME-TAX

S.O. 1996.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Haryana State Council of Child Welfare, Chandigarh" for the purpose of the said section for and from assessment year 1972-73.

[No. 1609/F. No. 197/111/76-IT(AI)]

T. P. JHUNJHUNWALA, Director

(बैंकिंग पक्ष)

नई दिल्ली, 25 मार्च, 1977

क्रा० आ० 1997.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्द्वारा भारत सरकार के राश्ट्र और बैंकिंग विभाग (बैंकिंग पक्ष) की 5 अगस्त, 1976 की अधिसूचना संख्या एफ 4-83/76-एसी (1) में निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना में शब्दों "कुडप्पाह और कुर्नूल" के स्थान पर शब्द "कुडप्पाह और कुर्नूल तथा प्रकाशम जिले के सरकारपुर और गिदालूर तालुका" प्रतिस्थापित किये जाएंगे।

[सं० एफ० 4-83/76-एसी]

सी० आर० बिश्वास, उप सचिव

(Banking Wing)

New Delhi, the 25th May, 1977

S.O. 1997.—In exercise of the powers conferred by sub-section (1) of section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India in the Department of Revenue & Banking (Banking Wing) No. F. 4-83/76-AC (I), dated the 5th August, 1976 namely :-

In the said notification, for the words "Cuddapah and Kurnool", the words "Cuddapah and Kurnool and the talukae of Markapur and Giddalur in the district of Prakasam" shall be substituted.

[No. F. 4-83/76-AC]

C. R. BISWAS, Dy. Secy

(प्राथमिक कार्य विभाग)

नई दिल्ली, 28 मई, 1977

क्रा० आ० 1998.—गविल सेवाएं (वर्गीकरण, नियंत्रण और अपील) नियमावली, 1965 के नियम 34 के साथ पठित नियम 9 के उप-नियम 2 और नियम 12 के उपनियम (2) के खण्ड (ख) और नियम 24 के उपनियम (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राष्ट्रपति ने भारत सरकार के जिल संत्रालय (प्राथमिक कार्य विभाग) के दिनांक 28 फरवरी, 1957 के आदेश संख्या एस० आर० आ० 627 में निम्नलिखित अश्वेतर संशोधन किए हैं; अर्थात् :-

उपर्युक्त आदेश के भाग III-अर्थात् समान्य केन्द्रीय सेवा, श्रेणी 4 की अनुसूची में 'सिक्कुरिटी नेपर मिल प्रोजेक्ट' शीर्षक के स्थान पर और

उसके अन्तर्गत की गई प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ कर दी गई हैं, अर्थात्:—

1	2	3	4	5
“सिक्यूरिटी पेपर मिल, होशंगाबाद				
सभी पद	प्रशासनिक और मुख्य लेखा अधिकारी	प्रशासनिक और मुख्य लेखा अधिकारी	सभी	जनरल मैनेजर, सिक्यूरिटी पेपर मिल, होशंगाबाद।”

[सं० एफ० 8(16)-75-करेभी]

(Deptt. of Economic Affairs)

New Delhi, the 28th May, 1977

S.O. 1998.—In exercise of the powers conferred by sub-rule (2) of rule 9 and clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the order of Government of India in the Ministry of Finance (Deptt. of Economic Affairs) No. S.R.O. 627 dated the 28th February, 1957, namely:—

In the Schedule to the said order in Part III General Central Service, Class IV, for the heading “Security Paper Mill Project” and the entries thereunder, the following shall be substituted namely:—

1	2	3	4	5
“Security Paper Mill, Hoshangabad.				
All posts	Adminis- trative and Chief Accounts Officer	Adminis- trative and Chief Accounts Officer	All	General Manager, Security Paper Mill, Hoshanga- bad.”

[No. F 8(16)75-CY]

नई दिल्ली, 2 जून, 1977

फा० अ० 1999—कोइनेज अधिनियम, 1906 (1906 का 3) की धारा 7 के साथ पठित धारा 21 की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, निम्नलिखित नियम बनाने का अर्थ है, अर्थात्:—

1. लघु शीर्षक तथा लागू होने की तारीख:—(1) इन नियमों को कोइनेज (विकास के लिए बचाए अभियान के अन्तर्गत ढाले गए पचास काए और दस रुपए के सिक्कों और दस पैसे तथा पाच पैसे के सिक्कों के भार और उनके गुणों के अन्तर की सीमा) नियमावली, 1977 कहा जा सकेगा।

(2) ये नियम 15 अगस्त, 1977 को लागू हो जाएंगे।

2. विकास के लिए बचाए अभियान के अन्तर्गत ढाले गए सिक्कों के मध्य में अनुमत मानकित भार और उनके गुणों के अन्तर की सीमा:— कोइनेज अधिनियम 1906 (1906 का 3) की धारा 6 में दी गई व्यवस्था के अन्तर्गत निम्न निम्नलिखित सिक्कों का मानकित भार और

उनके निर्माण में गुणों के अन्तर की दम सीमा प्रकार से होगी जो नीचे दी गई सारणी में निविष्ट की गई है:—

		सारणी	
सिक्के का मूल्य	भार	अनुमत गुणों के अन्तर की सीमा	
		मिश्रण	भार
(1)	(2)	(3)	(4)
50 रुपए	35 ग्राम	चांदी के लिए 2000वां अंश ज्यादा या कम अर्थात् कम भार 34.650 प्रति एक हजार में चांदी का मात्रा 498 से 502 ग्राम हो सकता है।	1/100 वां ज्यादा या कम अर्थात् भार 34.650 ग्राम से 35.350 ग्राम हो सकता है।
10 रुपये	25 ग्राम	तांबा और निकल दोनों के लिए 1/100 वा, अंश ज्यादा या कम अर्थात् भार 24.375 ग्राम से 25.625 ग्राम तक हो सकता है।	1/40 वा अंश ज्यादा या कम अर्थात् भार 24.375 ग्राम से 25.625 ग्राम तक हो सकता है।
10 पैसे	2.30 ग्राम	सैगनीशियम 3.5—4 प्रतिशत शेष एल्यूमिनियम नियम	1/40 वा अंश अधिक या कम
5 पैसे	1.5 ग्राम	सैगनीशियम 3.5—4 प्रतिशत शेष एल्यूमिनियम नियम	1/40 वां अंश ज्यादा या कम।

[सं० एफ० 1(14)/76-काइन]

New Delhi, the 2nd June, 1977

S.O. 1999.—In exercise of the powers conferred by sub-section (1) of section 21 read with section 7 of the Coinage Act, 1906 (3 of 1906), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement:—(i) These rules may be called the Coinage (Weight and Remedy of Coins of Rupees fifty and Ten and Paise Ten and Five Coined for Save for Development) Rules, 1977.

(ii) They shall come into force on the 15th day of August, 1977.

2. Standard weight and remedy allowed on coins coined for Save for Development:—The standard weight of the following coins, coined under the provisions of section 6 of the Coinage Act, 1906 (3 of 1906), and the remedy allowed in the making of such coins shall be as specified in the Table below:—

TABLE

		Remedy allowed	
Denomination	Weight	in composition	in weight
1	2	3	4
50 Rupees	35 grammes	Two thousandth plus or minus for silver i.e. the weight could vary from 498 to 502 per thousand	1/100th or minus i.e. the weight could vary from 34,650 to 35,350 grammes.

1	2	3	4
10 Rupees	25 grammes	1/100th plus or minus both for copper and nickel i.e. copper could vary from 74% to 76% and nickel from 24% to 26%.	1/40th Plus minus i.e. the weight could vary from 24.375 grammes to 25.625 grammes.
10 Paise	2 30 grammes	Magnesium 3.5 to 4% Aluminium remainder.	1/40th plus or minus.
5 Paise	1 50 grammes	Magnesium 3.5 to 4% Aluminium remainder.	1/40th plus or minus.

[No F. 1/14/76-Coin]

का०प्रा० 2000—कोइनेज अधिनियम, 1906 (1906 का 3) की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा यह निर्णय करती है कि नीचे दिए गए मूल्यों के सिक्के की भारत सरकार के पृथक्कीकरण के अन्तर्गत निर्गम के लिए टुकमाल में निमित्त किए जाएंगे और यह सिक्के नीचे दिए गए आयाम, डिजाइन और मिश्रण के अनुरूप होंगे, अर्थात्—

सिक्के का मूल्य	आकार और व्यास	कटावों की संख्या	धातु मिश्रण
1	2	3	4
पचास रुपए	वर्तुलाकार 14 मिलि मीटर	200	चतुर्धातु मिश्रित 50 प्रतिशत चांदी 40 प्रतिशत तांबा 5 प्रतिशत निकल 5 प्रतिशत जिंक (जस्ता)
दस रुपए	वर्तुलाकार 14 मिलि मीटर	180	तांबा—निकल तांबा 75 प्रतिशत निकल 25 प्रतिशत
दस पैसे	कटावदार किनारे वाले (12 कटाव) प्रत्येक कटाव की दूरी 26 मिलि मीटर		एल्यूमीनियम मेगनीशियम मेगनीशियम 3 5 से 1 प्रतिशत और शेष एल्यूमिनियम
पांच पैसे	गोल किनारों के साथ चौकोर किनारों के बीच 22 मिलिमीटर गपाट 19 मिलि मीटर		एल्यूमीनियम मेगनीशियम मेगनीशियम 3 5 से 4 प्रतिशत और शेष एल्यूमिनियम

डिजाइन

50 रुपए

अग्र भाग

सिक्के के मुख भाग पर अशोक स्तम्भ का सिंह शीर्ष अंकित होगा और ऊपर की बायीं परिधि पर "भारत" और ऊपर की दायीं परिधि पर "India" अंकित होगा। इस पर अन्तर्राष्ट्रीय अंकों में सिक्के का मूल्य "50" अंकित होगा, तथा बायीं ओर की निचली परिधि पर "रुपए" और दायीं ओर की निचली परिधि पर "Rupee" अंकित होगा।

पृष्ठ भाग

सिक्के के इस भाग का डिजाइन विकास प्रधान डिजाइन होगा जो बचत, श्रद्धा, मकान, शिक्षा, स्वास्थ्य और परिवार कल्याण का प्रतीक होगा।

10 रुपए

मुख भाग

केन्द्र में—अगूठे और बड़ी उगली से पकड़े हुए सिक्के को बचत के बक्से में डालता हुआ एक हाथ अंकित होगा जिसके नीचे एक छोपड़ी होगी।

बाईं तरफ परिवार कल्याण का निशान, अनाज की बोली और एक खुली पुस्तक अंकित होगी।

दाईं तरफ एक गीयर व्हील, बचत का बक्सा जो कुछ अणु तक बचत के डिब्बे से मिलेगा और मध्य में एक कारखाने की इमारत होगी और एक मैडिकल श्रम अंकित होगा,

निर्गम का वर्ष अर्थात् "1977" छोपड़ी के नीचे अन्तर्राष्ट्रीय अंकों में दिया होगा।

परिधि के साथ-साथ ऊपर के आधे भाग में इसका आणव्य अर्थात् "विकास के लिए बचाव" अंकित होगा और नीचे के आधे भाग में "Save for Development" लिखा होगा।

पृष्ठ भाग

सिक्के के इस भाग में वही सभी प्रतीक अंकित होंगे जो 50 रुपए के सिक्के के इसी भाग पर होंगे।

10 पैसे

मुख भाग

सिक्के के मुख भाग पर अशोक स्तम्भ का सिंह शीर्ष अंकित होगा और ऊपर की बायीं परिधि पर "भारत" शब्द और ऊपर की दायीं परिधि पर "India" शब्द अंकित होगा। इस पर अन्तर्राष्ट्रीय अंकों में सिक्के का मूल्य "10" अंकित होगा तथा बायीं ओर की निचली परिधि पर "पैसे" शब्द और दायीं ओर की निचली परिधि पर "Paise" शब्द अंकित होगा।

पृष्ठ भाग

सिक्के के इस भाग पर वही सभी प्रतीक अंकित होंगे जो 50 रुपए के सिक्के के इसी भाग पर अंकित हैं।

5 पैसे

मुख भाग

सिक्के के मुख भाग पर अशोक स्तम्भ का सिंह शीर्ष अंकित होगा और ऊपर की बायीं परिधि पर "भारत" शब्द और ऊपर की दायीं परिधि पर "India" शब्द अंकित होगा। इस पर अन्तर्राष्ट्रीय अंकों में सिक्के का मूल्य "5" अंकित होगा तथा बायीं ओर की निचली परिधि पर "पैसे" शब्द और दायीं ओर की निचली परिधि पर "Paise" शब्द अंकित होगा।

पार्श्व भाग

सिक्के के इस भाग पर वही सभी प्रतीक अंकित होंगे जो 50 रुपए के सिक्के के इसी भाग पर अंकित हैं।

2. यह अधिसूचना 15 अगस्त, 1977 से लागू होगी।

[सं० एफ० 1(14)/76-कोइनेज]

एन० एन० वन्त, अवर सचिव

S. O. 2000.—In exercise of the powers conferred by section 6 of the Coinage Act, 1906 (3 of 1906), the Central Government hereby determines that the coins of the following denominations shall also be coined at the Mint for issue under the authority of the Central Government and that such coins shall conform to the following dimensions, designs and composition, namely:—

Denomination	Shape and diameter	No. of serrations	Metal composition
1	2	3	4
Fifty Rupees	Circular 44 mm	200	Quaternary alloy: Silver 50% Copper 40% Nickel 5% Zinc 5%
Ten Rupees	Circular 39 mm	180	Cupro-Nickel: Copper 75% Nickel 25%
Ten Paise	Scalloped (12 scallops) 26 mm across scallop.		Aluminium Magnesium: Magnesium 3.5 to 4% Aluminium remainder.
Five Paise	Square with rounded corners 22 mm. across corners. 19 mm across flats.		Aluminium Magnesium: Magnesium 3.5 to 4% Aluminium remainder.

Designs:**50 Rupees:**

Obverse: This face of the coin shall bear the Lion Capital of Ashoka Pillar flanked on the left upper periphery with the word "भारत" and on the right upper periphery with the word "INDIA". It shall also bear the denominational value "50" in international numerals flanked on the left lower periphery with the word "रुपये" and on the right lower periphery with the word "Rupees".

Reverse: This face of the coin shall have a development oriented design symbolising savings, food, shelter, education, health and family planning.

In the centre:—a hand, holding between the thumb and forefinger a coin, for depositing in a savings box, with a hut below it.

On the left:—a family planning triangle, an ear of corn and an open book.

On the right:—a gear wheel, partly inscribing the savings-box, with a factory building within its centre, and a medical cross. The year of issue will be depicted below the hut in international numerals "1977". The

theme will be inscribed around the periphery "विकास के लिए बचाइये" on the upper half and "SAVE FOR DEVELOPMENT" on the lower half.

10 Rupees.
Obverse:

This face of the coin shall bear the Lion Capital of Ashoka Pillar flanked on the left upper periphery with the word "भारत" and on the right upper periphery with the word "INDIA". It shall also bear the denominational value "10" in international numerals flanked on the left lower periphery with the word "रुपये" and on the right lower periphery with the word "RUPEES".

Reverse:

This face of the coin shall have a development oriented design, symbolising, savings, food shelter, education, health and family planning.

In the Centre:—a hand, holding between the thumb and forefinger a coin, for depositing in a savings box, with a hut below it.

On the left:—a family planning triangle, an ear of corn and an open book.

On the right:—a gear wheel, partly inscribing the savings-box, with a factory building within its centre, and a medical cross. The year of issue will be depicted below the hut in international numerals "1977". The theme will be inscribed around the periphery— "विकास के लिए बचाइये" on the upper half and "SAVE FOR DEVELOPMENT" on the lower half.

10 Paise:
Obverse:

This face of the coin shall bear the Lion Capital of Ashoka Pillar flanked on the left upper periphery with the word "भारत" and on the right upper periphery with the word "INDIA". It shall also bear the denominational value "10" in international numerals flanked on the left lower periphery with the word "रुपये" and on the right lower periphery with the word "PAISE".

Reverse:

This face of the coin shall have a development oriented design symbolising savings, food, shelter, education, health and family planning.

In the Centre:—a hand, holding between the thumb and forefinger a coin, for depositing in a savings box, with a hut below it.

On the left:—a family planning triangle, an ear of corn and an open book.

On the right:—a gear wheel, partly inscribing the savings-box, with a factory building within its centre, and a medical cross. The year of issue will be depicted below the hut in international numerals "1977". The theme will be inscribed around the periphery— "विकास के लिए बचाइये" on the upper half and "SAVE FOR DEVELOPMENT" on the lower half.

5 Paise:

Obverse:

This face of the coin shall bear the Lion Capital of the Ashoka Pillar flanked on the left upper periphery with the word "भारत" and on the right upper periphery with the word "INDIA". It shall also bear the denominational value "5" in international numerals flanked on the left lower periphery with the word "पैसे" and on the right lower periphery with the word "PAISE".

Reverse:

This face of the coin shall have a development oriented design symbolising savings, food shelter, education, health and family planning.

In the centre:—a hand, holding between the thumb and forefinger a coin, for depositing in a savings box, with a hut below it.

On the left:—a family planning triangle, an ear of corn and an open dook.

On the right:—a gear wheel, partly inscribing the savings-box, with a factory building within its centre, and a medical cross. The year of issue will be depicted below the hut in international numerals "1977". The theme will be inscribed around the periphery—"विकास के लिए बचाव" on the upper half and "SAVE FOR DEVELOPMENT" on the lower half.

2. This notification shall come into force on the 15th day of August, 1977.

[No. F.1/14/76-Coin.]

S. L. DUTT, Under Secy

RESERVE BANK OF INDIA

CENTRAL OFFICE

(Department of Accounts and Expenditure)

CORRIGENDUM

Bombay, the 1st June, 1977

S.O. 2001.—In the statement of Affairs of the Reserve Bank of India, Banking Department as on 8th April, 1977, published in Part II Section 3(ii) of the Gazette of India dated 7th May, 1977, the following corrigendum may be noted. On page 1516 the figure Rs. 8,57,967,000 under the head "Notes held in Banking Department" may be read as Rs. 8,57,96,000.

[Reference Gen. No. 691/4-76/77]

Sd/-

Illegal Chief Accountant

(व्यय विभाग)

नई दिल्ली, 27 अप्रैल, 1977

क्रा० प्रा० 2002—रजिस्ट्रार, सचिवालय के अनुच्छेद 309 के परन्तु और अनुच्छेद 148 के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तथा भारतीय लेखा परीक्षा तथा लेखा विभाग में सेवारत व्यक्तियों के मध्य से नियंत्रक महालेखा परीक्षक से परामर्श करने के पश्चात् केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 में और आगे संशोधन करने के लिए निम्नलिखित नियम बनाने हैं, अर्थात् —

1 (1) इन नियमों का नाम केन्द्रीय सिविल सेवा (पेंशन) सीमरा संशोधन नियम, 1977 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2 केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 में, नियम 54 में,

(1) उप-नियम (11क) में, निम्नलिखित उपबन्ध जोड़ा जाएगा. अर्थात् —

"परन्तु जहाँ न्यायिक पृथक्करण आरकर्म के आधार पर स्वीकृत किया जाये और मजदूरी कर्मचारी की मृत्यु ऐसे न्यायिक पृथक्करण की अवधि के दौरान हो जाय वहाँ उत्तरजीवी व्यक्ति को परिवार पेंशन देय नहीं होगी"

(2) उप-नियम (14) में, खण्ड (ख) में, उप-खण्ड (1क) में,

"पत्नी या पति" शब्दों के स्थान पर "पत्नी और पति, वहाँ जहाँ ऐसा पृथक्करण आरकर्म के आधार पर न हुआ हो" शब्द रखे जायेंगे।

[म० फा० 1(11)-संस्थापन (ख)/76]

एम० एम० एल० मल्होत्रा, अवर सचिव

(Department of Expenditure)

New Delhi, the 27th May, 1977

S.O. 2002.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely :—

1. (1) These rules may be called the Central Civil Services (Pension) Third Amendment Rules, 1977.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Services (Pension) Rules, 1972, in Rule 54,—

(i) to sub-rule (11A), the following proviso shall be added namely :—

"Provided that where in a case the judicial separation is granted on the ground of adultery and the death of the Government servant takes place during the period of such judicial separation, the family pension shall not be payable to the person surviving."

(ii) in sub-rule (14), in clause (b), in sub-clause (ia), for the words "wife or husband", the words "wife and husband, such separation not being granted on the ground of adultery," shall be substituted.

[No. P. 1(11)-EV(B)/76]

S. S. I. MALHOTRA, Under Secy.

सीमा शलक तथा केन्द्रीय उत्पादन शुल्क समारोहों का कार्यालय

कोचीन, 1 अप्रैल, 1977

केन्द्रीय उत्पादन शुल्क

क्रा० प्रा० 2003—केन्द्रीय उत्पादन शुल्क नियम 1944 के नियम 5 के अन्तर्गत मुद्रा में निहित शक्तियों का प्रयोग करते हुए, मैं एतद्वारा केन्द्रीय उत्पादन शुल्क अधीनस्थों को, केन्द्रीय उत्पादन शुल्क नियम 1944 के नियम 173-0 के उपनियम (2) तथा नियम 185 के उप-नियम (1)

के अधीन समाह्वित की शक्तियों का प्रयोग करने का अधिकार देता है। यह अधिकार, पैकेजों को प्रस्तुत करने अथवा उपयुक्त अधिकांश का यथोचित फार्म में आवेदन पत्र सहित निर्यात किये जाने वाले माल के मामलों के लिए उक्त नियम में निर्धारित 24 घंटे की समय-सीमा से ढील दिये जाने के मामले में दिया गया है।

[अधिसूचना सं० 1/77/सी०सं० IV/16/12/77-के०उ०गु०-I]

सी० के० गोपालकृष्णन, समहर्ता

(Office of the Collector of Customs and Central Excise)

Cochin, the 1st April, 1977

CENTRAL EXCISE

S.O. 2003.—In exercise of the powers vested in me under rule 5 of the Central Excise Rules, 1944, I hereby empower the Superintendents of Central Excise to exercise the powers of Collector under sub-rule (2) of rule 173-O and sub-rule (1) of rule 185 of Central Excise Rules, 1944, in the matter of relaxation of time limit of 24 hours laid down in the said rules for presentation of packages or cases containing goods to be exported together with an application in the proper form to the proper officer.

[Notification No. 1/77/C. No. IV/16/12/77-Ex. I]

C. K. GOPALAKRISHNAN, Collector

वाणिज्य मंत्रालय

(विदेश व्यापार विभाग)

उप-मुख्य नियंत्रक, आयात-निर्यात का कार्यालय, अहमदाबाद

आदेश

अहमदाबाद, 23 अप्रैल, 1977

क्र०प्रा० 2004.—सर्वश्री कौशल टेक्स्टाइल, काशी राम टेक्स्टाइल मिलज, कम्पाउंड रक्षियाल रोड, अहमदाबाद को क्रम सं० 2231/बी के अन्तर्गत प्रदीप्त रंगों, कांसा जूँ आदि के लिए 30,496 रुपये (तीस हजार चार सौ छियाब्बे रुपये मात्र) के लिए ला०सं०पी/एस/1876114 दि० 17-1-77 प्रदान किया गया था।

उन्होंने 30,496 रुपये के लिए उक्त ला० की अनुमिति प्रतियों (सीमा शुल्क प्रयोजन एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति) के लिए हम आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत कराये बिना और बिल्कुल ही उपयोग किये बिना ही खो गई/अस्थायित्व हो गई है।

हम दावे के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है।

मैं सतुष्ट हूँ कि ला० सं० पी०/एस/1876114 दि० 17-1-77 की सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रति खो गई है और निदेश देता हूँ कि ला० की उक्त सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति की अनुमिति प्रति आवेदक को जारी की जानी चाहिए।

ला० सं० पी०/एस/1876114 दि० 17-1-77 की मूल सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति रद्द की जाती है।

[फा० सं० 1187/एन यू/25432/एन एम/ए एम-77/एस एस आई/322]
38GI/77-2

MINISTRY OF COMMERCE

(Department of Foreign Trade)

(Office of the Chief Controller of Imports & Exports)

ORDER

Ahmedabad, the 23rd April, 1977

S.O. 2004.—M/s. Kaushal Textile, Kashiram Textile Mills, compound Rakhial road, Ahmedabad has been granted licence No. P/S/837984 dt. 18-8-75 for Rs. 379543 (Rs. Three thousand four hundred and ninety six only) for Fluorescent colours, Bronze powder etc. under Sr. No. 2231/V.

They have applied for duplicate copies of said licence for Rs. 30496 (Custom purpose copy and exchange Control copy) on the ground that the original custom copy & Exchange Control copies have been lost/misplaced without having been registered with any custom authority and utilised at all.

In support of their claim, applicant has filed an affidavit.

I am satisfied that custom purpose copy & Exchange Control copy of licence No. P/S/1876114 dt. 17-1-77 has been lost and direct that the duplicate copy of custom & Exchange copy of the licence should be issued to the applicant.

The original custom copy & Exchange copy of licence No. P/S/1876114 dt. 17-1-77 are cancelled.

[F. No. 1187/NU/25432/NS/AM-77/SSI/322]

आदेश

क्र०प्रा० 2005—सर्वश्री कौशल टेक्स्टाइल, काशीराम टेक्स्टाइल मिलज, कम्पाउंड रक्षियाल रोड, अहमदाबाद को क्रम सं० 2231/बी के अन्तर्गत प्रतिदीप्त रंगों एवं कांसा जूँ आदि के लिए 30,496 रुपये (तीस हजार चार सौ छियाब्बे रुपये मात्र) के लिए आयात ला० सं० पी०/एस/1876134 दिनांक 18-1-77 प्रदान किया गया था।

उन्होंने 30,496 रुपये के लिए उक्त ला० की अनुमिति प्रतियों (सीमा शुल्क प्रयोजन एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति) के लिए हम आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत कराये बिना और बिल्कुल उपयोग किये बिना ही खो गई है।

अपने दावे के समर्थन में, आवेदक ने एक शपथ पत्र दाखिल किया है।

मैं सतुष्ट हूँ कि ला० सं० पी०/एस/1876134 दिनांक 18-1-77 की सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति खो गई है और निदेश देता हूँ कि ला० की सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति की अनुमिति प्रति आवेदक को जारी की जानी चाहिए।

ला० सं० पी०/एस/1876134 दिनांक 18-1-77 की मूल सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रयोजन प्रति रद्द की जाती है।

[फा० सं० 202/एन यू/26079/एन एम/ए एम-77/एस एस आई/322]

ORDER

S.O. 2005.—M/s. Kausal Textile, Kashiram Textile Mills, compound Rakhial road, Ahmedabad, has been granted import licence No. P/S/1876134. dt. 18-1-77 for Rs. 30496 (Rs. Thirty thousand four hundred and ninety six only) for Fluorescent colours & Bronze powder etc. under Sr. No. 2231/V.

They have applied for duplicate copies of said licence for Rs. 30496 (Custom copy & Exchange copy) on the ground

that the original custom copy & Exchange Control copy have been lost/misplaced without having been registered with any custom authority and unutilised at all.

In support of their claim, applicant has filed an affidavit.

I am satisfied that custom purpose copy & Exchange Control copy of licence No. P/S/1876134 dt. 18-1-77 have been lost and direct that duplicate copy of Custom & Exchange copy of the licence should be issued to applicant.

The original custom purpose copy & Exchange control copy of licence No. P/S/1876134 dt. 18-1-77 are cancelled.

[F. No. 1202/UN/26079/NS/AM-77/SSI/322]

आदेश

का०आ 006.—सर्वश्री ऐन्कर पेन्ट्स मैनुफैक्चरिंग कं० प्रापोजिट ओधव रोड, ओधव रोड, अहमदाबाद को आयात व्यापार नियंत्रण क्रम सं० 34.37 डी वी और 22.31, बी आदि के अन्तर्गत 3,79,543 रुपये (तीन लाख उन्नासी हजार पांच सौ तैंतासीस रुपये मात्र) के लिए संश्लिष्ट पीत लौह आक्साइड/रंजक पीत 42/और मिलिकान तेल आदि के लिए ला० सं० पी/एस/1837984 दि० 18-8-75 प्रदान किया गया था।

उन्होंने 3,79,543 रुपये के लिए ला० सं० पी/एस/1837984 (केवल सीमा शुल्क प्रयोजन प्रति) की अनुलिपि प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत करायें बिना ही खो गई/अस्थानस्थ हो गई है।

अपने दावे के समर्थन में, आवेदक ने एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूं कि ला० सं० 1837984 दिनांक 18-8-75 की सीमा शुल्क प्रयोजन प्रति खो गई या अस्थानस्थ हो गई है और निवेश देता हूं कि ला० की उक्त सीमा शुल्क प्रयोजन प्रति की अनुलिपि आवेदक फर्म को जारी की जानी चाहिए।

ला० सं० पी/एस/1837984 दि० 18-8-75 की मूल सीमा शुल्क प्रयोजन प्रति रद्द की जाती है।

[का० सं० 1222/ई यू/30772/ए एम-75/पी० 52/ए यू/एस एम आई/322]

ORDER

S.O. 2006.—M/s. Anchor Paints Mfg. Co. Opp. Odhav village, Odhav road, Ahmedabad, has been granted licence No. P/S/183784 dt. 18-8-75 for Rs 379543 (Rs. Three Lakhs, Seventy nine thousand five hundred & forty three only) for Synthetic yellow iron oxide/pigment yellow 42/and Silicon oil etc. under I.T.C. Sr. No. 34.37.D.V and 22.31.V etc.

They have applied for duplicate copy of licence No. P/S/1837984 (Custom copy only) for Rs. 379543 on the ground that the original Custom purpose copy has been lost/misplaced without having been registered with any custom authority.

In support of their claim, applicant has filed an affidavit.

I am satisfied that custom purpose copy of licence No. 1837984 dt. 18-8-75 has been lost or misplaced and direct that the duplicate of said custom purpose copy of the licence should be issued to the applicant firm.

The original custom purpose copy of licence No. P/S/1837984 dt. 18-8-75 is cancelled.

[F. No. 1222/EU/30772/AM-75/P. 52/AU/SSI/322]

आदेश

का०आ० 2007.—सर्वश्री सन् इंजीनियरिंग इंडस्ट्रीज, 13, आशीस कार्पोरेशन, इस्ताइड दुर्गा इस्टेट, नागरवल हनुमान रोड रत्नियल,

अहमदाबाद को क्रम सं० 19(i)(i)/II के अन्तर्गत अनुमति श्रेणी के बाल बेयरिंगों के लिए ला० सं० पी/एस/1843693 एवं पी/एस/1843694 दिनांक 16-10-76 क्रमशः 10,000 रुपये (दस हजार मात्र) और 8,080 रुपये (आठ हजार अस्सी रुपये मात्र) के लिए प्रदान किये गये थे।

उन्होंने 10,000 रुपये और 8,080 रुपये के लिए उक्त लाइसेंसेसों की (केवल सीमाशुल्क प्रयोजन प्रतियां) अनुलिपि प्रतियों के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क प्रयोजन प्रतियां किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत करायें बिना ही खो गई हैं। अपने दावे के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है।

मैं संतुष्ट हूं कि ला० सं० पी/एस/1843693 और पी/एस/1843694 दिनांक 16-10-76 की सीमाशुल्क प्रयोजन प्रतियां खो गई हैं और निवेश देता हूं कि ला० की उक्त सीमाशुल्क प्रयोजन प्रतियों की अनुलिपि आवेदक फर्म को जारी की जानी चाहिए।

ला० सं० पी/एस/1843693 और पी/एस/1843694 दिनांक 16-10-76 की मूल सीमाशुल्क प्रयोजन प्रतियां रद्द की जाती हैं।

[का० सं० 1470/ई यू/31236/एस० 18/ए एम-76/एस एम आई/322]

डी०डी० सूजा, उपमुख्य नियंत्रक

ORDER

S.O. 2007.—M/s. The Sun Engineering Industries, 13, Ashish Corporation, inside Durga Estate, Nagarvel Hanuman road Rakhial, Ahmedabad has been granted licence Nos. P/S/1843693 & P/S/1843694 dt. 16-10-76 for Rs. 10,000 (Ten Thousand only) and Rs. 80,80 (Rs. Eight thousand and eighty only) respectively for permissible type of ball bearing under Sr. No. 19. (i)(i)/II.

They have applied for duplicate copies of the said licences for Rs. 10,000 & Rs. 8,080 (Custom purposes copies only) on the ground that the original Custom purposes copies have been lost without having been registered with any custom authority.

In support of their claim, applicant has filed an affidavit.

I am satisfied that custom purposes copies of licence Nos. P/S/1843693 and P/S/1843694 dt. 16-10-76 have been lost and direct that the duplicate of the said custom purposes copies of the licences should be issued to the applicant firm.

The original custom purposes copies of licences No P/S/1843693 and P/S/1843694 dt. 16-10-76 are cancelled.

[F No. 1470/EU/31236/S. 18/AM. 76/SSI/322]

D. D'SOUZA, Dy. Chief Controller

मुख्य नियंत्रक, आयात निर्यात का कार्यालय,

आदेश

नई दिल्ली, 29 अप्रैल, 1977

का० आ० 2008.—सर्वश्री आइस्कन मिल्सटिमोकिवि पीआईएम, कलकत्ता को सामान्य मुद्रा क्षेत्र में सलगन मूची के अनुसार उपकरणों और भूमि सुधार मशीनों आदि का आयात करने के लिए 62,00,000 रुपये के मूल्य का सीमा शुल्क निकासी परमिट सं० पी/जे/3039850 दिनांक 14-1-72 प्रदान किया गया था।

2 उन्होंने उक्त सीमा शुल्क निकासी परमिट की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि उनसे मूल सीमा शुल्क निकासी परमिट खो गया अथवा अस्थानस्थ हो गया है। लाइसेंसधारी ने आगे यह भी बताया है कि 41,78,739 रुपए की धनराशि सीमा शुल्क निकासी परमिट में उपयोग के लिए शेष है। सीमा शुल्क निकासी परमिट सीमा शुल्क प्राधिकारी, कलकत्ता के पास पंजीकृत किया गया था।

3 अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि मूल सीमा शुल्क निकासी परमिट सं० पी/जे०/3039850, दिनांक 14-1-72 खो गया अथवा अस्थानस्थ हो गया है और यह निदेश देता है कि सीमा शुल्क प्रति की अनुलिपि प्रति आवेदक को जारी की जाती चाहिए। मूल सीमा शुल्क निकासी परमिट एतद्वारा रद्द किया जाता है।

4 उक्त सीमा शुल्क निकासी परमिट की अनुलिपि प्रति अलग से जारी की जा रही है।

[फा० सं० 6/कान्ट/72-73/एम० एल०-2/173]

Office of the Chief Controller of Imports & Exports

ORDER

New Delhi, the 29th April, 1977

S.O. 2008.—M/s Ivan Milutinovic PIM, Calcutta were granted CCP No P/J/3039850 dated 14-1-72 for import of Equipment and Dredging reclamation etc. as per list attached to it valued at Rs. 62,00,000 from GCA

2. They have requested for the issue of duplicate copy of the above CCP on the ground that the original CCP has been lost or misplaced by them. It has been further reported by the licensee that the C.C.P had an unutilised balance of Rs. 41,78,739. The CCP was registered with Customs authorities, Calcutta.

3. In Support of their contention the applicant have filed an affidavit. The undersigned is satisfied that the original C.C.P. No P/J/3039850 dated 14-1-72 has been lost or misplaced and hence directs that duplicate Custom copy should be issued to the applicant. The original CCP is hereby cancelled.

4. The duplicate customs purposes copy of the said Custom Clearance Permit is being issued separately.

[File No. 6/Cont/72-73/ML. II/173]

नई दिल्ली, 16 मई, 1977

आदेश

फा०आ० 2009 —सर्वोच्च टाटा कन्सल्टेंसी सर्विसेस (टाटा कन्सल्टेंसी लि० का एक प्रभाग) बम्बई हाउस, सूर हॉमो मोदी स्ट्रीट, बम्बई-400001 को सामान्य मुद्रा क्षेत्र के अन्तर्गत लाइसेंस के साथ सफल सूची के अनुसार एक बरतन बी० 6700 संगणक प्रणाली का आयात करने के लिए 71,59,228 रुपये मूल्य का एक आयात लाइसेंस सं० पी/ए/1414646 दि० 20-9-75 को 130 लाख रुपये के निर्यात आधार के साथ प्रदान किया गया था।

2 उन्होंने उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति उनसे खो गई या अस्थानस्थ हो गयी है। लाइसेंसधारी द्वारा आगे यह भी सूचना दी गई है कि लाइसेंस में मात्र 2,38,892 रुपये (26,708 18 यू० एम० शालर) अप्रयुक्त शेष बचा हुआ था और लाइसेंस बम्बई सीमा शुल्क कार्यालय, बम्बई में पंजीकृत था।

3 अतः तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि आयात ला० सं० पी/ए/1414646 दि० 20-9-75 की मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति खो गई या अस्थानस्थ हो गई है और निदेश देता है कि उक्त ला० की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति आवेदक को जारी की जानी चाहिए।

उक्त ला० की मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति रद्द की जाती है।

4 ला० की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति अलग से जारी की जा रही है।

[फा० सं० 1/17/75-76/एम० एल०-2/172]

एम० के० बरता,

उप-मुख्य नियंत्रक कृते मुख्य नियंत्रक

ORDER

New Delhi, the 16th May, 1977

S.O. 2009.—M/s Tata Consultancy Services, (A Division of Tata Sons Pvt. Ltd.). Bombay House, Sui Homi Mody St. Bombay-400001 were granted import licence No. P/A/1414646 dated 20-9-75 for import of one Burroughs B. 6700 Computer system as per list attached to it valued at Rs. 71,59,228 under G.C.A. with an Export obligation of Rs. 130 lakhs.

2. They have requested for the issue of duplicate exchange purpose copy of the above said licence on the ground that the original exchange purpose copy has been lost or misplaced by them. It has been further reported by the licensee that the licence had an unutilised balance of Rs. 2,38,892 (US \$ 26,708.18) only the licence was registered with Bombay Custom House, Bombay.

3. In support of their contention the applicants have filed an affidavit. The undersigned is satisfied that the original exchange purpose copy of import licence No. PA/1414646 dated 20-9-75 has been lost or misplaced and directs that a duplicate exchange control purpose copy of the said licence should be issued to the applicant. The original exchange control purpose copy of the said licence is cancelled.

4. The duplicate exchange control purpose copy of the licence is being issued separately.

[File No. 4/17/75-76/ML. II/172]

S. K. BATTA, Dy. Chief Controller
for Chief Controller

आदेश

फा०आ० 2010 —सर्वोच्च कोल्टाज लि०, दूसरा पोखरन रोड, थाना (महाराष्ट्र) को सामान्य मुद्रा क्षेत्र से लाइसेंस के साथ सफल सूची के अनुसार कच्चे माल/सघटकों का आयात करने के लिए 6,89,000 रुपये के लिए आयात लाइसेंस सं० पी/डी/2199890/सी/एक्सएक्स/55/एच/39-40, दिनांक 17-6-1975 प्रदान किया गया था।

2 उन्होंने उक्त लाइसेंस की सीमाशुल्क एवं मुद्रा विनियम प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि उनसे मूल सीमाशुल्क एवं मुद्रा विनियम नियंत्रण प्रतियां खो गई अथवा अस्थानस्थ हो गई हैं। लाइसेंसधारी ने आगे यह भी बताया है कि लाइसेंस में बिना उपयोग में लाई गई धनराशि 18,882 रुपये शेष है। लाइसेंस सीमाशुल्क प्राधिकारी, बम्बई के पास पंजीकृत कराया गया था।

3 अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि आयात लाइसेंस सं० पी/डी/2199890, दिनांक 17-6-1975 की मूल-सीमाशुल्क एवं मुद्रा विनियम नियंत्रण प्रयोजन प्रति खो गई अथवा अस्थानस्थ हो गई है और इसलिए निदेश देता है कि आवेदक को उक्त लाइसेंस की सीमाशुल्क एवं मुद्रा विनियम नियंत्रण प्रतियों की अनुलिपि प्रति जारी की जानी चाहिए। लाइसेंस की मूल सीमाशुल्क एवं मुद्रा विनियम नियंत्रण प्रतियां एतद्वारा रद्द की जाती हैं।

4 उक्त लाइसेंस की सीमाशुल्क एवं मुद्रा विनियम नियंत्रण प्रयोजन प्रतियों की अनुलिपि प्रतियां अलग से जारी की जा रही हैं।

[संख्या आटो-V-2(3)/एमएम-75/आरएम-4]

एम० ए० कोहली,

उप-मुख्य नियंत्रक कृते मुख्य नियंत्रक

ORDER

S.O. 2010.—M/s. Voltas Ltd., 2nd Pokhram Road, Thana (Maharashtra), were granted import licence No. P/D/2199890/C/XX/55/H/39-40 dt. 17-6-1975 for import of raw materials/components as per list attached to it valued at Rs. 6,89,000 from GCA.

2. They have requested for the issue of duplicate Customs and Exchange purposes copies of the above said licence on the ground that the original Customs & Exchange purposes copies have lost or misplaced by them. It has been further reported by the licensee that the licence had an unutilised balance of Rs. 18,882. The licence was registered with Customs Authorities Bombay.

3. In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that the original Customs and exchange purposes copies of Import licence No. P/D/2199890 dt. 17-6-1975 has been lost or misplaced and hence directs that a duplicate Customs and Exchange copies of the said licence should be issued to the applicant. The original Customs and Exchange copies of the licence is hereby cancelled.

4. The Duplicate Customs and Exchange purposes copies of the said licence are being issued separately.

[File No. Auto-V-2(3)AM-75/RM-4]

N. A. KOHLY, Dy. Chief Controller
for Chief Controller

आदेश

नई दिल्ली, 25 मई, 1977

का० आ० 2011.—निदेशक, राष्ट्रीय भौतिक प्रयोगशाला, हिल साइड रोड, नई दिल्ली-110012 को पार्श्वय प्रेमर गैस एनेलाइसर इत्यादि मर का आयात करने के लिए 49,000 रु० के लिए एक आयात लाइसेंस सं० जी/ए/1068587/आर/एमएल/58/एच/41-42/आई एल एस दिनांक 22-3-76 दिया गया था। उन्होंने उक्त लाइसेंस की सीमा शुल्क निकासी प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि उनकी सीमा शुल्क निकासी प्रति उनसे खो गई है/अस्थानस्थ हो गई है। आगे यह कहा गया है कि मूल सीमा शुल्क निकासी प्रति को भारत में किसी सीमा शुल्क प्राधिकारी के पास पंजीकृत नहीं करवाया है और लाइसेंस का बिल्कुल भी उपयोग नहीं किया गया है। लाइसेंस पर शेष 49,000 रु० उपलब्ध थे।

2 अपने तर्क के समर्थन में आवेदक ने नोटरी पब्लिक दिल्ली के स्टाम्पड पत्र पर एक शपथ-पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमा शुल्क निकासी प्रति खो गई/अस्थानस्थ हो गई है। इसलिए यथा सशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-11-1955 के खंड 9(1) (सी०सी०) द्वारा प्रवर्त अधिकाधिकार का प्रयोग कर, निदेशक, राष्ट्रीय भौतिक प्रयोगशाला, नई दिल्ली का प्रवर्त लाइसेंस सं० जी/ए/1068587/आर/एमएल/58/एच/41-42/आई एल एस दिनांक 22-3-76 की मूल सीमा शुल्क निकासी प्रति को एतद्वारा रद्द करता हूँ।

3. उक्त लाइसेंस की सीमा शुल्क निकासी प्रति की अनुलिपि अलग से जारी की जा रही है।

[स० एन०-85/इन्स्ट/75-76/आई०एस०एस०/147]

एल० प्रसाद, उप-मुख्य नियंत्रक

ORDER

New Delhi, the 25th May, 1977

S.O. 2011.—The Director, National Physical Laboratory, Hillside Road, New Delhi-110012 was granted an import licence No. G/A/1068587/R/ML/58/H/41-42/ILS dated 22-3-1976 for import of partial pressure gas analyser etc. and valued at Rs. 49,000 (Rupees forty-nine thousand only),

from U. K. under UK/India Maintenance Loan 1974. They have applied for the issue of a duplicate Custom Purposes Copy of the above mentioned licence on the ground that the original Customs Purposes Copy thereof has been lost/misplaced. It is further stated that the original Custom Purposes Copy has not been registered with any Customs authority in India and has not been utilised at all. The balance available on it was Rs. 49,000.

2. In support of this contention, the applicant has filed an affidavit on a stamped paper from Notary Public Delhi. I am accordingly satisfied that the original Custom Purposes Copy of the said licence has been lost. Therefore, in exercise of the powers conferred under clause 9(1)(cc) of the Imports (Control) Order 1955 dated 7-11-1955 as amended from time to time, the said original Custom Purpose Copy of Licence No. G/A/1068587/R/ML/58/H/41-42/ILS dated the 22-3-1976 issued to the Director, National Physical Laboratory, New Delhi, is hereby cancelled.

3. The duplicate Custom Purpose Copy of the said licence is being issued separately to the licensee.

[No. N. 85/Inst/75-76/ILS/147]

L. PRASAD, Dy. Chief Controller

उद्योग मंत्रालय

(औद्योगिक विकास विभाग)

आदेश

नई दिल्ली, 28 मई, 1977

का० आ० 2012.—केन्द्रीय सरकार, विकास परिषद् (प्रक्रिया संबंधी) नियम, 1952 के नियम 3 और 8 के साथ पठित, उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा श्री एन०एच० डालमिया, उड़ीसा सीमेंट लिमिटेड राजगंगपुर, उड़ीसा को सीमेंट उद्योग की विकास परिषद् का सदस्य नियुक्त करती है और भारत सरकार, उद्योग मंत्रालय, औद्योगिक विकास विभाग के का०आ० सं० 3493 दिनांक 17 सितम्बर, 1976 जो भारत के राजपत्र में दिनांक 2 अक्टूबर, 1976 को प्रकाशित हुआ, में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त आदेश में पैरा 1 क्रम सं० 7 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि रखी जाएगी, अर्थात् :—

"7. उड़ीसा सीमेंट लि० श्री एन० एच० डालमिया, राजगंगपुर, उड़ीसा।"

[का० सं० 5-20/75-सीमेंट]

सी० महलिकार्जुनन, उप सचिव

MINISTRY OF INDUSTRY

(Deptt. of Industrial Development)

ORDER

New Delhi, the 28th May, 1977

S.O. 2012.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), read with rules 3 and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints Shri N. H. Dalmia, Orissa Cements Limited, Rajgangpur, Orissa as a member of the Development Council for Cement Industry and makes the following amendment in the Order of Government of India, Ministry of Industry Deptt. of Industrial Development S.O. No. 3493

dated the 17th September, 1976 published in the Gazette of India dated the 2nd October, 1976 namely :—

CORRIGENDUM

New Delhi, the 27th May, 1977

In the said order, in paragraph 1, for Serial No. 7 and the entry relating thereto, the following serial number and the entry shall be substituted, namely :

"7. Shri N. H Dalmia, Orissa Cements Ltd.,
Rajgangpur, Orissa."

S.O. 2013—In the Department's Notification dated 15th January, 1977 regarding the Coir Board Services By-laws, 1976 published under S.O. No. 657 in Gazette of India, Part II, Section 3(ii) dated 26th February, 1977 at page No. 801, Col. No. 3, the pay scale of Deputy Director should be read as Rs. 700-40-900-EB-40-1100-50-1300 in place of Rs. 300-40-900-EB-40-1100-50-1300.

[No 13/2/74-C&S]

[File No. 5-20/75-Cem.]

C. MALLIKARJUNAN, Dy. Secy.

K. MURUGAIAN, Section Officer

नागरिक पूर्ति और सहकारिता मंत्रालय

भारतीय मानक संस्था

नई दिल्ली, 1977-05-26

क्र० आ० 2014—समय-समय पर सशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिपूचित किया जाता है कि लाइसेंस संख्या सी एम/एल-53 जिसके ध्येय नीचे अनुसूची में दिए गए हैं, फर्म के अपने अनुरोध पर 1977-04-16 से रद्द कर दिया गया है।

अनुसूची

क्रम संख्या	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्संबंधी भारतीय मानक
(1)	(2)	(3)	(4)	(5)
1	सीएम/एल-53 1958-01-20	सर्वश्री साउथ इंडिया प्लाईवुड इंडस्ट्रीज, मार्केट लैंडिंग, कोट्टायम (केरल राज्य)	चाय की पेटियों के लिए प्लाईवुड के नष्टे मार्क, 'सिपी'	IS : 10-1970 चाय की पेटियों के लिए प्लाईवुड की विशिष्टि (तीसरा पुनरीक्षण)

[सं० सी० एम० डी०/55:53]
ए० बी० राय, उप-महानिदेशक

MINISTRY OF CIVIL SUPPLIES & COOPERATION

INDIAN STANDARDS INSTITUTION

New Delhi, the 1977-05-26

S. O. 2014.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-53 particulars of which are given below has been cancelled with effect from 1977-04-16 on account of firm's request.

Sl. No.	Licence No. and Date	Name & Address of the Licensee	Article/Process Governed by the Licensees Cancelled	Relevant Indian Standard
1	2	3	4	5
1.	CM/L-53 1958-01-20	M/s. South India Plywood Industries Market Landing, Kottayam (Kerala State)	Tea-chest Plywood Panels Brand 'SIPI'	IS: 10-1970 Specification for plywood tea-chests (Third Revision)

[No. C.M.D/55:53].

A. B. RAO, Dy Director General.

नई दिल्ली, 30 मई, 1977

MINISTRY OF STEEL AND MINES

(Department of Mines)

New Delhi, the 27th May, 1977

का० आ० 2015.—केन्द्रीय सरकार, अधिम सविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन सैन्ट्रल इंडिया कमर्शियल ऐक्सचेंज लि०, खालियर द्वारा मान्यता के नवीकरण के लिये किये गये आवेदन पर वायदा बाजार आयोग के परामर्श से विचार करके और यह समाधान हा जाने पर कि ऐसा करना व्यापार के हित में और लोकहित में भी होगा, एतद्वारा उक्त अधिनियम की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त ऐक्सचेंज की अलसी की अधिम सविदाओं के धार में, 2 जून, 1977 से 1 जून, 1978 तक (जिसमें ये दोनों दिन भी सम्मिलित हैं) की एक वर्ष की अनिश्चित कालावधि के लिए मान्यता प्रदान करती है।

2 एतद्वारा प्रदत्त मान्यता इस बात के अधीन है कि उक्त ऐक्सचेंज ऐसे निदेशों का अनुपालन करेगा जो वायदा बाजार आयोग द्वारा समय-समय पर दिए जाएंगे।

[सिमिल संख्या 12(5)—आई० टी०/77]

वी० श्रीनिवासन, उप सचिव

New Delhi the 30th May, 1977

S.O. 2015.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Central India Commercial Exchange Ltd., Gwalior, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Exchange for a further period of one year from the 2nd June, 1977 to the 1st June, 1978, both days inclusive, in respect of forward contracts in linseed.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[F. No. 12(5)-JT/77]

V. SRINIVASAN, Dy. Secy.

इस्पात और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 27 मई, 1977

का०आ० 2016.—खान और खनिज (विनियमन और विकास) अधिनियम 1957 (1957 का 67) की धारा 26 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निदेश देती है कि उसके नियन्त्रण में रहते हुए, जिन अधिकारों का प्रयोग इसके द्वारा प्राप्त प्रदेश राज्य में धारा 21 की उपधारा (4) के अन्तर्गत किया जाता है उनका प्रयोग आन्ध्र प्रदेश राज्य सरकार द्वारा भी किया जाएगा।

[फाइल संख्या 1(47)/75-खान 6/खान 5]

टी० आर० विश्वनाथन, उप सचिव

(इस्पात विभाग)

नई दिल्ली, 30 मई, 1977

का०आ० 2017.—भारतीय लोहा और इस्पात कंपनी (शेयर) का अधिनियम, 1976 (1976 का 89) की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के इस्पात और खान मंत्रालय (इस्पात विभाग) का अधिसूचना सा०का०नि० 1111, दिनांक 22 मार्च, 1977 का संशोधन करने हुए, केन्द्रीय सरकार उपधारा के प्रयोजनों के लिए '30 जून, 1977' विनिर्दिष्ट करती है।

[स० उद्योग-II-8 (67)/76]

रा० मल्लिकार्जुनन, उप सचिव

(Department of Steel)

New Delhi, the 30th May, 1977

S.O. 2017.—In exercise of the powers conferred by sub-section (1) of section 7 of the Indian Iron and Steel Company (Acquisition of Shares) Act, 1976 (89 of 1976) and in modification of the notification of the Government of India in the Ministry of Steel and Mines (Department of Steel) S.O. No. 1111 dated the 22nd March, 1977, the Central Government hereby specifies the "30th June, 1977" for the purpose of the aforesaid section.

[No. Ind. (II)-8(67)/76]

R. MALLIKARJUNAN, Dy. Secy.

पेट्रोलियम मंत्रालय

नई दिल्ली, 27 मई, 1977

का०आ० 2018.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि अगम राज्य के निवासियों जिन्हें में गेलिकी क्प नं० 42 से जी०जी०एस० नं० 2 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिये।

और यह यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आण्य एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हिनबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिये आक्षेप सक्षम अधिकारी, अर्थात् अवसर प्रसंग

पदाधिकारी शिवसागर ग्राम के कार्यालय में इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

गेलेकी कूप नम्बर 42 से जी०जी०एम नम्बर 2 तक की पाइपलाइन

राज्य	ग्राम	जिला . शिवसागर	तालुक	घाटखेल
		सर्वे नम्बर	हेक्टर	गैरे
	चुतीया गांव	963 ख } 963 घ }	0	4
		989 ख	0	2
		986 ख	0	0
		927 ख	0	0

[सं० 12020/14/76-प्रोडक्शन-I]

MINISTRY OF PETROLEUM

New Delhi, the 27th May, 1977

S.O. 2018.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Geleki Well No. 42 to Geleki G.G.S. No. 2 in Sibsagar District, Assam, pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, viz, the Sub-Divisional Officer, Sibsagar, Assam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from Geleki Well No. 42 to Geleki G.G. S No.2.

State: Assam	Dist.: Sibsagar	Taluk : Athkhel		
Village	Survey No.	Hector	Are	Centi-are
Chutia Gaon	963 Kha } 963 Gha }	0	4	41
	989 Kha	0	2	27
	986 Kha	0	0	13
	927 Kha	0	0	54

[No. 12020/14/76-Prod. I]

क्र०आ० 2019.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि ग्राम राज्य के शिवसागर जिले में गेलिकी कूप सं० 55 से कूप सं० 10 तक पेट्रोलियम के परिवहन के लिये पाइप लाइन सेव तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाखण्ड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अध, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उपर्युक्त उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में जिनका कोई व्यक्ति, उक्त भूमि के नीचे पाइपलाइन बिछाने के लिये आशेष सक्षम अधिकारी, अर्थात् अतः प्रबंधन पदाधिकारी शिवसागर ग्राम के कार्यालय में इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

गेलेकी कूप नम्बर 55 से कूप नम्बर 10 तक की पाइप लाइन

राज्य	ग्राम	जिला . शिवसागर	तालुक	घाटखेल
		सर्वे नम्बर	हेक्टर	गैरे
	गोलाह गांव	847 ख	6	42
		848 ख	2	68
		853 ख	3	75
		854 ख	2	27
		858 ख	0	67
		907 ख	4	28
		909 ख	4	15
		821 ख	0	80
		852 ख	2	01

[सं० 12020/14/76-प्रोडक्शन-II]

टी० पी० सुब्रह्मनियत, अवर सचिव

S.O. 2019.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Geleki Well No. 55 to Geleki Well No. 10 in Sibsagar District, Assam, pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, viz, the Sub-Divisional Officer, Sibsagar, Assam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from Geleki Well No. 55 to Well No.10 (G.O.)

State: Assam Dist.: Sibsagar Taluk: Athkhet

Village	Survey No.	Hector	Are	Centi-are
Gohain Gaon	847 Kha	0	6	42
	848 Kha	0	2	68
	853 Kha	0	3	75
	854 Kha	0	2	27
	858 Kha	0	0	67
	907 Kha	0	4	28
	909 Kha	0	4	15
	821 Kha	0	0	80
	852 Kha	0	2	01

[No. 12020/14/76-Prod. II]

T. P. SUBRAHMANYAN, Under Secy.

ऊर्जा मंत्रालय

(विद्युत विभाग)

नई दिल्ली, 26 मई, 1977

का० प्रा० 2020.—केन्द्रीय सरकार, पंजाब पुनर्गठन अधिनियम, 1966 (1966 का 31) की धारा 80 की उपधारा (2) और (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और उत्तरवर्ती राज्यों तथा राजस्थान राज्य की सरकारों के परामर्श से, भारत सरकार के ऊर्जा मंत्रालय, विद्युत विभाग की अधिसूचना सं० का० प्रा० 4500, तारीख 25 मिनम्बर, 1975 में निम्नलिखित संशोधन करती है, अर्थात् :—
उक्त अधिसूचना में,—

- (i) मद 7 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—
“7 मन्त्रि, भारत सरकार,
कृषि और सिंचाई मंत्रालय,
सिंचाई विभाग;”
- (ii) मद 9 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—
“9. वित्त सलाहकार, भारत सरकार,
ऊर्जा मंत्रालय (विद्युत विभाग),” ।

[सं० 17/128/67-बीएण्डबी-जिल्द-4]

आर० सी० आर्गव, संयुक्त सचिव

MINISTRY OF ENERGY

(Department of Power)

New Delhi, the 26th May, 1977

S.O. 2020.—In exercise of the powers conferred by sub-sections (2) and (3) of section 80 of the Punjab Reorganisation Act, 1966 (31 of 1966) and in consultation with the Governments of the successor States and the State of Rajasthan, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Energy, Department of Power, number S.O. 4500, dated the 25th September, 1975, namely :—

In the said notification,—

- (i) for item 7 and the entry relating thereto, the following shall be substituted, namely :—

“7. The Secretary to the Government of India Department of irrigation, Ministry of Agriculture and Irrigation;”;

- (ii) for item 9 and the entry relating thereto, the following shall be substituted, namely :—

“9. The Financial Adviser to the Government of India, Ministry of Energy (Department of Power).”

[No. 17/128/67-B&B-Vol. IV]

R. C. BHARGAVA, Jt. Secy.

शिक्षा तथा समाज कल्याण मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 1 जून, 1977

का० प्रा० 2021.—विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 5 की उपधारा (3) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा शिक्षा तथा समाज कल्याण मंत्रालय के सचिव, श्री पी० सनानायगम को श्री के० एन० चन्ना के स्थान पर, जिन्होंने अब शिक्षा तथा समाज कल्याण मंत्रालय के सचिव के पद का कार्यभार छोड़ दिया है, तत्काल से विश्वविद्यालय अनुदान आयोग के एक सदस्य के रूप में नियुक्त करती है। उक्त अधिनियम की धारा 6 की उपधारा (4) के अनुसार श्री सनानायगम तीन वर्ष की अवधि के लिए इस पद पर रहेंगे।

[सं० एफ० 7-39/77एल०यू०]

अनिल बोर्दिया, संयुक्त सचिव

MINISTRY OF EDUCATION & SOCIAL WELFARE

(Department of Education)

New Delhi, the 1st June, 1977

S.O. 2021.—In exercise of the powers conferred by Clause (a) of sub-section 3 of Section 5 of the University Grants Commission Act, 1956 (3 of 1956), the Central Government hereby appoints, with immediate effect, Shri P. Sabanayagam, Secretary, Ministry of Education and Social Welfare, as a member of the University Grants Commission vice Shri K. N. Channa, who has since relinquished charge of the office of Secretary, Ministry of Education and Social Welfare. In accordance with sub-section (4) of Section 6 of the said Act, Shri Sabanayagam will hold office for a term of three years.

[No. F. 7-39/77-L.U]

ANIL BORDIA, Jt. Secy.

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 1 जून, 1977

का० प्रा० 2022.—भारत सरकार के नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना संख्या का० प्रा० एफ० एम०/पी 74/सी 3281 तारीख 2 दिसम्बर, 1974 द्वारा कौपीन डाक श्रम बोर्ड के सदस्य के रूप में नियुक्त श्री एम० के० राघवन का पद, डाक कर्मकार (नियोजन का विनियमन) नियम, 1962 के नियम मद उपनियम (5) के खण्ड (5) के अधीन रिक्त हो गया समझा गया है।

और उक्त डाक श्रम बोर्ड में एक पत्र रिक्त हो गया है।

अतः, अब, केन्द्रीय सरकार उक्त नियमों के नियम 4 के उपबन्धों के अनुसरण से, उक्त रिक्ति अधिसूचित करती है।

[सं० एल० डी० एम्-13/76-डी० 4]

बी० प्रकरलिंगम, अवर सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 1st June, 1977

S.O. 2022.—Whereas Shri M. K. Raghavan appointed as a member of the Cochin Dock Labour Board by the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S. O. 3281 dated the 2nd December, 1974 is deemed to have vacated his office under clause (v) of sub-rule (5) of rule 4 of the Dock Workers (Regulation of Employment) Rules, 1962;

And Whereas a vacancy has occurred in the said Dock Labour Board;

Now, therefore, in pursuance of the provisions of rule 4 of the said rules, the Central Government hereby notifies the said vacancy.

[No. LDX-18/76-D. IV]

V. SANKARALINGAM, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 27 मई, 1977

का०आ० 2023.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् एक अधिनियम, 1976 से दामोदर रोपवेन एण्ड कन्स्ट्रक्शन कम्पनी (प्राइवेट) लिमिटेड, 1ए वन्सीटार्ट रो कलकत्ता-1 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम्० 35017 (17)/76-पी०एफ० 2]

MINISTRY OF LABOUR

New Delhi, the 27th May, 1977

S.O. 2023.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1976 the establishment known as Messrs Damodar Ropeways and Construction Company (Private) Limited, 1A, Vansittart Row, Calcutta-1, for the purposes of the said proviso.

[No. S. 35017(17)/76-PF. II (ii)]

का०आ० 2024—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम्० पी० इण्डस्ट्रीज (इंडिया) 79 लेनिन सारानी कलकत्ता 13। नामक स्थापन में सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

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अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम्० 35017 (19)/77-पी०एफ० 2]

S.O. 2024.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs S. P. Industries (India), 79, Lenin Sarani, Calcutta-13, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1975.

[No. S. 35017(19)/77-PF.II]

का०आ० 2025.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स टी० मा० कन्सोर्टियम (इंडिया) लिमिटेड, 31 चौरंगी रोड, कलकत्ता-16 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 21 अक्टूबर, 1972 को प्रवृत्त हुई समझी जाएगी।

[सं० एम्० 35017 (21)/77-पी०एफ० 2]

S.O. 2025.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Tea-Ma Consortium (India) Limited, 31, Chowringhee Road, Calcutta-16, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of October, 1972.

[No. S. 35017(21)/77-PF. II]

का०आ० 2026.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रविकार, 19 केन्द्रीन लेन, कलकत्ता-12 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम्० 35017 (22)/77-पी०एफ० 2]

S.O. 2026.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Avikar, 19, Kenderdine Lane, Calcutta-12, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1975.

[No. S. 35017(22)/77-PF. II]

कां०आ० 2027.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मुकुन्दगढ़ इन्वेस्टमेंट कम्पनी लिमिटेड, 9 ब्रेबोर्न रोड, कलकत्ता-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम-35017(23)/77-पी०एफ० 2 (i)]

S.O. 2027.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mukandgarh Investment Company Limited, 9, Broadbourn Road, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1975.

[No. S. 35017/23/77-PF.II(i)]

कां०आ० 2028.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स टैवरी इंजीनियरी कम्पनी 17 ए० वीथेस कोर्ट, 1, के०वाई०डी० स्ट्रीट, कलकत्ता-16 जिसमें (1) 20-चंडीतला, मेन रोड, कलकत्ता-53 और (2) 39-मकरबाह रोड, कदमतोला, हाउडा स्थित इसकी शाखाएं भी सम्मिलित हैं। नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1972 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017 (29)/77-पी०एफ० 2 (i)]

S.O. 2028.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as

Messrs Tannery Engineering Company, 17-A, Palace Court, 1, KYD Street, Calcutta-16 including its branches at (1) 20-Chanditala Main Road, Calcutta-53 and (2) 39-Makardah Road, Kadamtola, Howrah, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1972.

[No. S. 35017(29)/77-PF. II(i)]

कां०आ० 2029.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 31 दिसम्बर, 1975 से प्रारम्भ की गयी वेस्टर्न कचारा टी कम्पनी लिमिटेड, 16 ए, ब्रेबोर्न रोड, कलकत्ता 1 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनियमित करती है।

[सं० एम 35017 (29)/77-पी० एफ०-2(ii)]

S.O. 2029.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty-first day of December, 1975 the establishment known as Messrs The North-Western Cachai Tea Company Limited, 16A, Broadbourn Road, Calcutta-1, for the purposes of the said proviso.

[No. S. 35017(29)/77-PF.II(ii)]

कां०आ० 2030.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विनीत ट्रेड्स एण्ड इन्वेस्टमेंट लिमिटेड 9, एजरा स्ट्रीट (दूसरी मंजिल) कलकत्ता 1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017 (30)/77-पी० एफ० 2(i)]

S.O. 2030.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vinit Trades and Investments Limited, 9, Ezra Street (2nd Floor), Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1975.

[No. S. 35017(30)/77-PF.II(i)]

कां०मा० 2031.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सम्बद्ध विषय में आवश्यक आज्ञा करने के पश्चात् 1 जुलाई, 1975 से मैसर्स बिनीत ट्रेड्स एण्ड इन्वेस्टमेंट्स लिमिटेड, 9, एजरा स्ट्रीट (दूसरी मंजिल), कलकत्ता-1 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम० 35017 (30)/77-पी०एफ० 2(ii)]

S.O. 2031.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of July, 1975, the establishment known as Messrs Vinit Trades and Investments Limited, 9, Ezra Street (2nd Floor), Calcutta-1, for the purposes of the said proviso.

[No. S. 35017(30)/77-PF.II(ii)]

कां०मा० 2032.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इंडिया ड्रिलिंग एण्ड माइनिंग कम्पनी (प्राइवेट) लिमिटेड, 67बी, नेताजी सुभाष रोड, कलकत्ता और जिसमें 47, बी० टी० रोड कलकत्ता स्थित उसकी कर्मशाखा सम्मिलित है नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017 (32)/77-पी०एफ० 2 (i)]

S.O. 2032.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Indian Drilling and Mining Company (Private) Limited, 67B, Netaji Subhas Road, Calcutta and including its Workshop at 47, B.T. Road, Calcutta, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1975.

[No. S. 35017(32)/77-PF.II(i)]

कां०मा० 2033.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक आज्ञा करने के पश्चात् 1 अक्टूबर, 1975 से मैसर्स इंडियन ड्रिलिंग एण्ड माइनिंग कम्पनी (प्राइवेट) लिमिटेड, 67बी० नेताजी सुभाष रोड, कलकत्ता और जिसमें 47, बी० टी० रोड कलकत्ता स्थित उसकी कर्मशाखा सम्मिलित है। नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम० 35017 (32)/77-पी०एफ० 2(ii)]

S.O. 2033.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of October, 1975 the establishment known as Messrs. Indian Drilling and Mining Company (Private) Limited, 67B, Netaji Subhas Road, Calcutta and including its Workshop at 47, B.T. Road, Calcutta, for the purposes of the said proviso.

[No. S. 35017(32)/77-PF.II(ii)]

कां० मा० 2034.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रेलवे इन्स्टिट्यूट, डाकघर बी० गार्डन, हावड़ा-3 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017(38)/77-पी०एफ० 2]

S.O. 2034.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Railway Institute, Post Office B. Garden, Howrah-3, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1976.

[No. S. 35017(38)/77-PF.II]

कां०मा० 2035.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कुण्डु स्पेशल, चित्तरंजन एवेन्यू, कलकत्ता-72 जिसमें 40/1, स्ट्रैंड मार्ग कलकत्ता स्थित इसकी शाखा भी सम्मिलित है नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जून, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017(42)/77-पी०एफ० 2]

S.O. 2035.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Kundu Special, J. Chittaranjan Avenue, Calcutta-72, including its branch at 40/1, Strand Road, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1976.

[No. S. 35017(42)/77-PF.II]

का० आ० 2036.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स जे० के० अम्ब्रेला एक्सेसरीज इण्डस्ट्रीज, 17, आर्मेनियन स्ट्रीट, कलकत्ता-1, जिसमें 30, सैलेन्धर मार्ग, लिलुवा (ग्रावहा) स्थित इसकी कारखाना सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017(43)/77-पी०एफ०-2(i)]

S.O. 2036.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs J. K. Umbrella Accessories Industries, 17, Armenian Street, Calcutta-1, including its Factory at 30, Sailendhar Road, Lilluah (Howrah), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1976.

[No. S. 35017/43/77-PF.II(i)]

का०आ० 2037.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक आज्ञा करने के पश्चात् एक अप्रैल, 1976 से मेसर्स सरगम पिक्चर्स (प्राइवेट) लिमिटेड, 'भवाना', 422, सावर्कर रोड, मुम्बई-25 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम० 35018(27)/77-पी०एफ०-2(ii)]

S.O. 2037.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1976 the establishment known as Messrs. Sargam Pictures (Private) Limited, 'Bhavana', 422, Savarkar Road, Bombay-25, for the purposes of the said proviso.

[No. S. 35018(27)/77-PF.II(ii)]

का०आ० 2038.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स पाइनाइथ इंजीनियरिंग वर्क्स, 12-एफ नन्दधाम, इण्डस्ट्रियल इस्टेट, मरोल मरोशी रोड, अन्धेरी (पूर्व), मुम्बई-59 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(61)/76-पी०एफ० 2(i)]

S.O. 2038.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Pynadath Engineering Works, 12-F Nand-Dham Industrial Estate, Marol Maroshi Road, Andheri (East), Bombay-59, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1975.

[No. S. 35018(61)/76-PF 2(i)]

का०आ० 2039.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स सरोज इलास्टिक वर्क्स 202/2, उधना भेष्टान रोड, अमृत भवन, उधना, सूरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 30 नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(119)/77-पी०एफ० 2]

S.O. 2039.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Saroj Elastic Works, 202/2, Udhna Bhestan Road, Amrut Bhavan, Udhna, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(119)/77-PF. II]

का०आ० 2040.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक आज्ञा करने के पश्चात् एक मई, 1974 से मेसर्स एनके केमिकल एण्ड जनरल इण्डस्ट्रीज (प्राइवेट) लिमिटेड, सं० 86, एथिपेट मद्रास-58, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम० 35019(147)/77-पी०एफ०-2(ii)]

S.O. 2040.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of May, 1974 the establishment known as Messrs. Enkay Chemical and General Industries (Private) Limited, No. 86, Athipet, Madras-58, for the purposes of the said proviso.

[No. S. 35019(147)/77-PF. II(ii)]

कां० प्रा० 2041.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैगर्स बिनाडट फाउण्डर्स ब्लॉक सं० 12, प्राफुल इण्डस्ट्रियल एस्टेट, अजीत मिल के पीछे, राखियाल रोड, अहमदाबाद 23, नामक स्थापना से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापना को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापना को लागू करती है ।

यह अधिसूचना इकतीस जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(154)/77-पी०एफ० 2]

S.O. 2041.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Belite Founders, Block No. 12, Praful Industrial Estate, Behind Ajit Mills, Rakhial Road, Ahmedabad-23, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of January, 1977.

[No. S. 35019(154)/77-PF. II]

कां० प्रा० 2042.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैगर्स वार्धजी लुबाजी खण्डाई हॉल, मानेक चौक, अहमदाबाद, नामक स्थापना से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापना को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापना को लागू करती है ।

यह अधिसूचना इकतीस दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(167)/77-पी०एफ० 2]

S.O. 2042.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vardhaji Lubaji, Khandai Hall, Manek Chowk, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of December, 1976.

[No. S. 35019(167)/77-PF. II]

कां० प्रा० 2043.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैगर्स अम्बिका मेटल प्रेसिंग इण्डस्ट्रीज, डी-14 रामकुमार मिल्स कंपाउण्ड, सारस्पुर, अहमदाबाद-18 नामक स्थापना से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापना को लागू किए जाने चाहिए ।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापना को लागू करती है ।

यह अधिसूचना इकतीस दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(168)/77-पी०एफ० 2]

S.O. 2043.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ambika Metal Pressing Industries, D-14, Ramkumar Mills Compound, Saraspur, Ahmedabad-18, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of December, 1976.

[No. S. 35019(168)/77-PF. II]

कां० प्रा० 2044.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैगर्स एम० जी० टेक्सटाइल्स, 52, जी० आई० डी० सी० एस्टेट, ओधव रोड, अहमदाबाद, नामक स्थापना से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापना को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापना को लागू करती है ।

यह अधिसूचना इकतीस दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(169)/77-पी०एफ० 2]

S.O. 2044.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs S. G. Textiles, 53, G.I.D.C. Estate, Odhav Road, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of December, 1976.

[No. S. 35019(169)/77-PF. II]

का० आ० 2045 —यस. केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स अचरतलान कुबेर दास, प्रताप सिनेमा के निकट, फुवारा अहमदाबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इक्कीस दिसम्बर, 1976 का प्रवृत्त समझी जाएगी

[सं० एम० 35019(170)/77-पी० एफ०-2]

S.O. 2045.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Acharatlan Kuberdas, Near Pratap Cinema, Fuvara, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1976.

[No. S. 35019(170)/77 PF II]

का० आ० 2046 —यस. केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स जी० पी० टेक्स्टाइल्स, 52, जी० आई० डी० सी०, इस्टेट, ओधव रोड, अहमदाबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इक्कीस दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(171)/77-पी० एफ० 2]

S.O. 2046.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs G.P. Textiles, 52, G.I.D.C. Estate, Odhav Road, Ahmedabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1976.

[No. S. 35019(171)/77-PF II]

का० आ० 2047—यस. केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स पाल ट्विस्टिंग, बक्स, गोदावाली, बोदावाली स्टेट के निकट, कटरग्राम सूरत नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इक्कीस जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(174)/77-पी० एफ० 2]

S.O. 2047.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Pal Twisting Works, Gotalawadi, Near Bodawala Estate, Katargam, Surat, have agreed that the provisions of the Employees' Provident Fund Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of January, 1977.

[No. S. 35019(174)/77-PF. II]

का० आ० 2048 —यस. केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स एम० एम० सिल्क फैब्रिक्स, बोदावाली एस्टेट, कटरग्राम रोड, सूरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना अठ्ठाइस फरवरी, 1977 का प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(175)/77-पी० एफ० 2]

S.O. 2048.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. M. M. Silk Fabrics, Bodawala Estate, Katargam Road, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-eighth day of February, 1977

[No. S. 35019(175)/77-PF II]

का० आ० 2049 —यस. केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स मजू, ट्विस्टिंग बक्स, बोदावाली एस्टेट, कटरग्राम रोड, सूरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना अठ्ठाइस फरवरी, 1977 का प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(176)/77-पी० एफ० 2]

S.O. 2049.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Manju Twisting Works, Bodawala Estate, Katargam Road, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-eighth day of February, 1977

[No. S. 35019(176)/77-PF. II]

क्र० आ० 2050 —यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स हेमन्त सिल्क मिल्स, बोदावाला एस्टेट, कटरगम रोड, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना अठ्ठाईस फरवरी, 1977 को प्रवृत्त समझी जाएगी ।

[सं० एम० 35019(177)/77-पी० एफ० 2]

S.O. 2050.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Hemant Silk Mills, Bodawala Estate, Katargam Road, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-eighth day of February, 1977.

[No. S. 35019(177)/77-PF. II]

क्र० आ० 2051—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स जयन्त सीकिंग वर्क्स, ओ/एस, वेद दरवाजा, फाटकडावादी, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना तीस नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(181)/77-पी० एफ० 2]

S.O. 2051.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Jayant Weaving Works, O/S. Ved Darwaja, Fatakadawadi, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government

hereby applies the provisions of the said Act to the said establishment

This notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(181)/77-PF. II]

क्र० आ० 2052 —यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स जयन्त ट्रेडर्स, ओ/एस, वेद दरवाजा, फाटकडावादी, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना तीस नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(183)/77-पी० एफ० 2]

S.O. 2052.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Jayant Traders, O/S. Ved Darwaja, Fatakadawadi, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

this notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(183)/77-PF. II]

क्र० आ० 2053 —यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स डी० डी० टेक्सटाइल्स, ओ/एस, वेद दरवाजा, फाटकडावादी, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना तीस नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(194)/77-पी० एफ० 2]

S.O. 2053.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. D. D. Textiles, O/S. Ved Darwaja, Fatakadawadi, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(184)/77-PF. II]

का० छा० 2054.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेजर्स मन्नाहर वापिंग और ट्विस्टिंग वर्क्स, वेद दर्वाजा, फताकादावादी, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना तीस नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35019(196)/77-पी० एफ०-2]

S.O. 2054.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Manohar Waping and Twisting Works, Ved Darwaja, Fatakadawadi, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(196)/77-PF. II]

का० छा० 2055.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेजर्स कान्तीलाल ताराचन्द, रोड सं० ब-1, सं० 24/23, उधना उद्योगनगर, उधना, सुरत नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इकत्तीस जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35019(199)/77-पी० एफ०-2]

S.O. 2055.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Kantilal Tarachand, Road No. B-1, Plot No. 24/23, Udhna Udyognagar, Udhna, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of January, 1977.

[No. S. 35019(199)/77-PF. II]

का० छा० 2056.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि परवीनचन्द्र हिममत लाल बोर, रोड सं० बी-1, प्लॉट सं० 24/23, उधना उद्योगनगर, उधना, सुरत, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी

भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना इकत्तीस जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35019(200)/77-पी० एफ०-2]

S.O. 2056.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Pravinchandra Himatlal Vora, Road No. B-1, Plot No. 24/23, Udhna Udyognagar, Udhna, Surat, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1977.

[No. S. 35019(200)/77-PF. II]

का० छा० 2057.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेजर्स श्रीराम प्लास्टिक इन्डस्ट्रीज, 4/3 प्लेटफार्म रोड, सेशाद्रिपुरम, बंगलूर-20, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 30 नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35019(201)/77-पी० एफ०-2]

S.O. 2057.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sri Rama Plastic Industries, 4/3, Platform Road, Seshadripuram, Bangalore-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1976.

[No. S. 35019(201)/77-PF. II]

का० छा० 2058.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेजर्स लक्ष्मी भवत, चरमराजा डबल रोड, मैसूर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35019(203)/77-पी० एफ०-2]

S.O. 2058.—Whereas it appears to the Central Government that the employer and the majority of the Messrs Lakshmi Bhavan, Chamaraja Double Road, Mysore, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by subsection (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35019(203)/77-PF. II]

क्र० आ० 2059.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एस० टी० उपहारग्रुह, एस० टी० स्टैंड, आनन्द, जिला कैरा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जनवरी 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018(206)/77-पी० एफ० 2]

S.O. 2059.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs S. T. Uphar Gruh, S. T. Stand, Anand, District Kaira, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by subsection (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of January, 1977.

[No. S. 35019(206)/77-PF. II]

क्र० आ० 2060.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नाज थिएटर, जालंधर सिटी, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1972 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019(207)/77-पी० एफ०-2]

S.O. 2060.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Naaz Theatre, Jullundur City, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by subsection (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

ment hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1972.

[No. S. 35019(207)/77-PF. II]

क्र० आ० 2061.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एडमिरल टूर एण्ड ट्रेवल ब्यूरो, द्वारका बिल्डिंग्स, एम० जी० रोड, कोचीन-16, एर्नाकुलम ग्राम, कानयनूर तालुक, एर्नाकुलम जिला। नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018(210)/77-पी० एफ०-2]

S.O. 2061.—Whereas it appears to the Central Government that the employer and the majority of the employee in relation to the establishment known as Messrs. Admiral Tour and Travel Bureau, Dwaraka Buildings, M. G. Road, Cochin-16, Ernakulam Village, Kanayanoor Taluk, Ernakulam District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now therefore, in exercise of the powers conferred by subsection (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1977.

[No. S. 35019(210)/77-PF. II]

क्र० आ० 2062.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बगल सिंह कन्स्ट्रक्टर, क्वार्टर 9/1, एम० पी० हाउसिंग बोर्ड, भिलाई (मध्य प्रदेश) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना, 1 सितम्बर, 1975 को प्रवृत्त समझी जाएगी।

[सं० एस०-35018(215)/77-पी० एफ० 2(i)]

S.O. 2062.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Wasant Singh Contractor, Quarter 9/1, M. P. Housing Board, Bhilai (Madhya Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by subsection (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1975.

[No. S. 35019(215)/77-PF. II(ii)]

का० प्रा० 2063—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 सितम्बर 1975 से मेसर्स वसन्त सिंह कन्ट्रेक्टर, क्वार्टर 9/1, एम० पी० हाउसिंग बोर्ड, भिलाई, (मध्य प्रदेश) नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[स० एम०-35019(215)/77-पी० एफ०-2(ii)]

S.O. 2063.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of September, 1975, the establishment known as Messrs Wasant Singh Contractor, Quarter 9/1, M. P. Housing Board, Bhilai (Madhya Pradesh) for the purposes of the said proviso.

[No. S. 35019(215)/77-PF. II (ii)]

का० प्रा० 2064—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स गंजन सिंह कन्ट्रेक्टर, गुरुनानक नगर, कोका, भिलाई, (मध्य प्रदेश) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना, 1 सितम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[स० एम०-35019(217)/77-पी० एफ० 2(ii)]

S.O. 2064.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Gajan Singh Contractor, Gurunanak Nagar, COKA, Bhilai (Madhya Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1975.

[No. S. 35019(217)/77-PF. II(ii)]

का० प्रा० 2065—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 सितम्बर, 1975 से मेसर्स गंजन सिंह कन्ट्रेक्टर, गुरु नानक नगर कोका, भिलाई (मध्य प्रदेश) नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[स० एम०-35019(217)/77-पी० एफ०-2(ii)]

S.O. 2065—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of September, 1975, the establishment known as Messrs Gajan Singh Contractor, Gurunanak Nagar, COKA, Bhilai (Madhya Pradesh), for the purposes of the said proviso.

[No. S. 35019(217)/77-P.F. II(ii)]

का० प्रा० 2066—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स जागृति बाल मन्दिर, 9/3, मनोरमागंज, इन्दौर-1 (मध्य प्रदेश) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[स० एम०-35019(219)/77-पी० एफ०-2(i)]

S.O. 2066.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jagrati Bal Mandir 9/3, Manoramaganj, Indore, I, (Madhya Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S. 35019(219)/77-P.F.II(i)]

का० प्रा० 2067—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जनवरी, 1977 से मेसर्स जागृति बालमन्दिर, 9/3, मनोरमा गंज, इन्दौर (मध्य प्रदेश) नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[स० एम०-35019(219)/77-पी० एफ०-2(ii)]

S.O. 2067.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1977, the establishment known as Messrs Jagrati Bal Mandir, 9/3, Manoramaganj, Indore (Madhya Pradesh), for the purposes of the said proviso.

[No. S. 35019(219)/77-P.F.II(ii)]

का० प्रा० 2068—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स न्यूजमैन एसोसिएट्स लिमिटेड, (मक्कल कुराल), फर्स्ट मेन रोड, यूनाइटेड इंडिया कॉलोनी, मद्रास-24 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1976 को प्रवृत्त हुई समझी जाएगी।

[स० एम०-35019(221)/77-पी० एफ०-2(i)]

एम० एम० सहायमानन, उप-सचिव

S.O. 2068.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Newsman Associates Limited, (Makkal Kural), 1st Main Road, United India Colony, Madras-24, have agreed that the provisions of the

Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

This notification shall be deemed to have come into force on the first day of March, 1976

[No S 35019/221 77 P F II]

S S SAHASRANAMAN, Dy Secy

New Delhi the 30th May 1977

S.O. 2069—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of Messrs Continental Construction Private Limited, Visakhapatnam and their workman, which was received by the Central Government on the 27th May, 1977.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Industrial Dispute No. 26 of 1976

BETWEEN

Workman of Messrs, Continental Construction Private Limited, Visakhapatnam

AND

The Management of Continental Construction Private Limited, Visakhapatnam

APPEARANCES

Sri A Lakshmana Rao, Advocate for—Workman

Sri K Parasurampatrudu, Advocate for—Management

AWARD

The Government of India, Ministry of Labour, New Delhi, through Order No L-34012(2)/76-D IV(A) dated 26.11.1976, referred the following dispute existing between the employers in relation to the Management of M/s Continental Construction Private Limited, Grandhinar, Visakhapatnam and their workmen, under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 to this Tribunal for adjudication—

Whether the action of the management of Messrs Continental Construction Private Limited Visakhapatnam in terminating the services of Sri Krishen Singh, Electrician with effect from the 12th April, 1976 is legal and justified? If not, to what relief is the concerned workman entitled?

2 The reference was registered as Industrial Dispute No. 26 of 1976 and notices were ordered to be issued to both the parties

3 As the Workman concerned pleaded his poverty and consequent inability to engage a Counsel Sri A Lakshmana Rao, Advocate, was appointed as Counsel for the Workman

4 The workman filed a claims statement contending briefly as follows—The workman was appointed as an Electrician with effect from 25.4.1970 in the Management's Company. While he was on duty on 2.9.1972 he met with an accident which resulted in the loss of his left hand. After recovery he was continued in the service of the Company as Electrician till 12.4.1976 on which day his services were terminated on the ground of incapacity due to permanent disability. At the time of termination the workman was not paid retrenchment compensation. He worked in the Company for six years doing the job of an Electrician. The termination of service is ineffective and invalid as the Management failed to pay retrenchment compensation. Hence it is requested that an award be passed setting aside the orders of termination of the workman's services

5 On behalf of the Management a counter was filed contending as follows—As the workman met with an accident on 2.9.1972, which resulted in the loss of his left hand, he was paid full compensation amounting to Rs. 10,080.00 on the basis that he had suffered permanent disability affecting 90 per cent of his earning capacity. After payment of compensation the workman approached the Management and requested that he might be taken into service. On humanitarian grounds, the Management gave him fresh employment with the specific understanding that his services would be dispensed with when over the Management felt it necessary to do so. He was therefore allowed to do some small jobs as a fresh employee. The work of the Management was over and hence the services of the workman were dispensed with. The workman was not entitled to any compensation since his services were taken purely on temporary basis. It is not true to say that he was doing the job of an Electrician from 1972 to 1976. The workman is not entitled to any relief.

6 When the matter stood posted to this day for enquiry a Joint Memo dated 19.4.1977 was filed by both parties to the effect that the Management had agreed to pay within a fortnight from this day a lumpsum amount of Rs. 1,500.00 in full and final settlement of the claims of the workman and that the workman had agreed to receive the said amount and not to press the claim. The workman concerned as well as the Assistant Administrative Officer of the Management signed this Joint Memo along with the representatives of both the parties.

7 In view of the fact that the workman has chosen not to press the claim and has agreed to receive Rs. 1,500.00 in full settlement of all his claims against the Management there is no need to proceed with the enquiry further. Moreover the terms of the Settlement also appear to be quite reasonable in the circumstances and both the parties have agreed to act in pursuance of the same.

8 A nil award is hereby passed.

Dictated to the Stenographer transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 19th day of April 1977.

K P NARAYANA RAO

Industrial Tribunal

[No 1 34012/2/76-D IV(A)]

NAND LAL, Desk Officer

नई दिल्ली, 31 मई, 1977

का० प्रा० 2070—आन आधिनियम 1952 (1952 का 35) की धारा 5 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री जी० गौरी शंकर राव को मुख्य आन निरीक्षण के अधीन आन निरीक्षक के रूप में नियुक्त करती है।

[स० ए०-12025/6/75-एम-1]

ज० जी० सम्मेलन, अवर सचिव

New Delhi, the 31st May, 1977

S.O. 2070—In exercise of the powers conferred by sub-section (1) of Section 5 of the Mines Act, 1952 (35 of 1952) the Central Government hereby appoints Shri V Gouri Sankara Rao as Inspector of Mines subordinate to the Chief Inspector of Mines.

[No 1 12025/6/75 M I]

J C SAXENA, Under Secy

New Delhi, the 1st June 1977

S.O. 2071—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jaipur in the industrial dispute between the employers in relation to the Management of the Tungston Khan Panyojna Government of Rajasthan Deana and their workmen which was received by the Central Government on the 18th May, 1977

CENTRAL INDUSTRIAL TRIBUNAL No. 1, RAJASTHAN
JAIPUR

Case No. CIT-30/72

REFERENCE :

Government of India, Ministry of Labour & Rehabilitation,
Department of Labour & Employment, New
Delhi, Notification No. 10/47/70-LR-IV dated
31-8-71.

In the matter of an Industrial Dispute

BETWEEN

The Tongston Mine Workers Union, Degana (Nagaur
District),

AND

The Tongston Mining Projects, Government of Rajasthan,
Khet Ki Bhakari Rewant Village, Degana, (Nagaur
District).

PRESENT :

None—for the Union.

Shri S. B. L. Agarwal—for the Employer.

Date of Award 2-5-1977

AWARD

By its notification quoted above, the Central Government
has referred the following industrial dispute to this Tribunal
for adjudication.

“(i) Whether the demand of the Tungstan Khan Mazdoor
Sangh, Degana, Nagaur for payment of wages at the
rate of Rs. 3.50 for male and Rs. 3.00 per female
worker of the Tungstan Khan Pariyojna, Degana,
District Nagaur is justified? If so the date from
which the workers are entitled for those rates of
wages? (ii) Taking also into account the financial
position of the employer, whether the demand of
the workman (both male and female) for payment
of dearness allowance in addition to the increased
wages at the rates prescribed by the State Govern-
ment for its employees is justified? If so, to what
relief the workmen are entitled and from what date?”

The claim put forward by the Union is that the Tongston
Mining Project, Degana, is an industry run by the State Govern-
ment of Rajasthan. The product from the Mine is that
of Tongston. It is a very profitable business for the State and
the State has been reaping huge profits from it. The project
employs a number of workmen. The workmen are paid at
a much low rate. The male worker is paid Rs. 2, while the
female worker is paid Rs. 1.50 P. per day. This rate is paid
to the workmen whether they are skilled or unskilled. The
prices were soaring up. The cost of living was constantly in-
creasing. Yet, the management of the Mine paid no dearness
allowance to the workmen to face the rising prices. No
other facilities like medical leave, national holidays etc. are
provided to the workmen by the employer. The reliefs claimed
are that :

1. The male worker should be paid at the rate of
Rs. 3.50 P. per day.
2. The female worker should be paid at the rate of
Rs. 3.00 per day.
3. Dearness Allowance be paid at the rate prescribed by
the State Government for its employees; and
4. Any other relief thought proper.

The claim of the Union was resisted by the employer. It
was denied that the project was reaping huge profits from
the work. It was alleged that the production in the project
was very low and the mining cost was very high. The workers
were being paid at the revised wage rates fixed by the State
Government in November, 1971. Each workman was paid
Rs. 2.31 P. per day irrespective of the sex. Certain other pleas
were also raised showing the reasons as to why the reference
was not maintainable.

It was for the Union to adduce evidence in support of its
demands. The Union was granted several adjournments to
adduce evidence, but no evidence was led in. For the last 4
or 5 hearings in the case, no body put appearance on behalf
of the Union. It appears that the Union is no more interested
in proceeding with and prosecuting this reference.

In the circumstances, there is no alternative left with me
other than to give a 'no dispute' award. A 'no dispute' award
is, therefore, passed. No order as to costs.

The award is submitted to the Central Government for publi-
cation, as required by law.

S. S. BYAS, Judge,
Presiding officer.

[No. 10/47/70-LRIV/DIII B]

New Delhi, the 2nd June, 1977

S.O. 2072.—In pursuance of Section 17 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
hereby publishes the following award of the Central Gov-
ernment Industrial Tribunal, Jabalpur, in the industrial dis-
pute between the employers in relations to the Management
of Bhilai Steel Plant, Bhilai, District Durg (M.P.), and their
workmen, which was received by the Central Government
on the 18th May, 1977.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(A)(2)/1977

PARTIES :

Shri Sukhwant Singh
S/o Shri Pritam Singh,
Ex-Rigger,

C/o Samyukta Khadan Mazdur Sangh
(AITUC) P.O. Nandini Mines,
District Durg (M.P.)

... Complainant.

Versus

1. The General Manager,
Bhilai Steel Plant,
Bhilai, District Durg (M.P.)

2. The Asstt. Superintendent,
(Maintenance) B. Group of Mines,
P.O. Nandini Mines,
District Durg (M.P.)

... Opp. Parties.

APPEARANCES :

For Complainant—Shri P. K. Thakur, Advocate.

For Opp. Parties—Shri D. C. Henry, Asstt. Law Officer.

INDUSTRY : Iron Ore Mines DISTRICT : Durg (M.P.)

Dated : May 6, 1977

AWARD

This is a complaint under Section 33-A of the Industria
Disputes Act challenging the termination of the service by
the Opposite Parties during the pendency of the two referen-
ces No. 26/75 and 4/76 before this Tribunal in which the
complainant is a concerned workman.

2. It is not disputed that Shri Sukhwant Singh son of
Shri Pritam Singh, Complainant, was employed as Rigger at
Nandini Mines in Durg district which are the captive mine
of the Bhilai Steel Plant. The two references mentioned
above are pending with respect to the mines of Bhilai Steel
Plant including Nandini mines, raising the bonus dispute of
the years 1973-74 and 1974-75 involving all the workmen
employed therein.

3. Shri Sukhwant Singh was arrested on 20th June, 1976 under MISA and was released back after about 14 days on 3-7-1976. After this release he submitted the application on 4th July, 1976 covering this period of 14 days absence from duty and enclosed certificate released from the prison. On 5th July, 1976 he joined his duties but on the next day he was informed that his joining report is not accepted and he was stopped from attending the duty. Later on after about 6 months vide No. OMQ/NM/2(b)/PF/77/19 dated 3-1-1977 an order of termination of his service retrospectively with effect from 20th June, 1976 was passed by the Assistant Superintendent (Maintenance) under orders of the General Manager. No approval of that action was taken. After the filing of this complaint the order of termination of service has been cancelled by the management with effect from 4-4-1977 vide order no. OMQ/NM/2(B)/PF/77/1939 of that date and the complainant has joined back his duties.

4. The case of the Complainant is that this termination of service with retrospective effect was against the canons of law. No charge-sheet was issued nor any departmental enquiry was held. The action of the Opposite parties was biased and prejudiced, illegal and improper and not in conformity with the procedure laid down in the Standing Orders. It was in contravention of the principles of natural justice.

5. The stand of the Opposite parties is that it was a case of termination simpliciter under Rule 36 of the Standing Orders, hence Section 33 of the Industrial Disputes Act was not attracted. The petitioner's service was terminated because he was detained under MISA and the Station Officer of the Nandini Police Station has informed the authorities accordingly. The management thought that it was inexpedient and against the interest of security of the Plant to continue the complainant in employment. His absence from duty was not only unauthorised but wilful and deliberate.

6. Learned Assistant Law Officer who appeared on behalf of the management has argued that under Rule 36 of the Standing Orders the management was free to terminate the services of a permanent employee after giving him one month's notice pay in the shape of a cheque of Rs. 492.60 enclosed with the order of termination which was served upon the complainant. He has placed reliance on *Air India Corporation Bombay Vs. V. A. Rebellow* (9 SCLJ 286) for the proposition that termination under the Standing Orders or under the terms of the service contract is not a termination for 'misconduct' and therefore it does not attract the provisions of Section 33, hence the application under Section 33-A against such termination is not maintainable.

7. The order purports to be an order of termination simpliciter. There are allegations of bias and prejudice against the management and mere reading of the order along with the allegations in para 11(a) of the written statement filed by the management goes to show that the order is not so innocuous as it purports to be. Rule 36 of the Standing Orders requires the management to give reasons of termination in the order. The management has been careful to state the reasons vaguely and in broad terms as follows:—

"On being satisfied that it is inexpedient and against the interest of security to continue to employ Shri Sukhwant Singh"

8. When the Rule requires that reasons for the action should be assigned it means that the reasons so assigned should be specific and meaningful so as to give a clear indication of the nature of conduct etc. which was the cause for such a move on behalf of the management, so that if an industrial dispute is raised or the order is otherwise challenged, the reasons may speak out for themselves. Inexpediency is so vague a term that it cannot be deemed to be a specific reason and in absence of the factors leading to inexpediency it is virtually no assignment of any reason at all.

9. Similarly it is not clear what sort of security apprehensions could there be from a Rigger working inside the mines. The position of a Rigger or his place of working is not such as may cause an apprehension of sabotage etc. His position in employment has no security links. When this vague reason assigned in the order is read with para 11(a) of the written statement of the management it is clear that security considerations arose because he had been detained under MISA.

10. The grounds in the pleadings in that paragraph 'the interests of the complainant have been terminated because he was detained under MISA on account of his own conduct and activities which was considered detrimental to the maintenance of internal security of the country by the district authorities and as such he invited the peril of being detained by his own voluntary illegal act'. The second ground stated in that very paragraph of the written statement is that such a conduct resulting in detention would not be deemed to be sufficient cause for his absence from 20-6-76 to 3-7-76 but was a deliberate and wilful act on his part to get arrested and as such the absence from duty was not only unauthorised but wilful and deliberate.

11. Now simple apprehension of a person unless that executive action is approved by the authority appointed under MISA, is no evidence of any conduct or activity which may be detrimental to the maintenance of internal security of the country. In the present case he was released either before the case could be submitted to the authority concerned or it did not approve the action. In any case it means that there was nothing against Shri Sukhwant Singh by which the executive authorities could support their action. This immediate release, only within a period of 14 days, is thus indicative of the fact that Shri Sukhwant Singh had not indulged in any such activity which could warrant his continued detention under MISA. The inference against his conduct and activity raised by the management was thus wholly unwarranted. Mere preliminary detention under MISA could be no ground for the management to interpret that it was inexpedient or against the interest of security to continue Shri Sukhwant Singh under employment. Drawing such an unwarranted inference from the mere act of detention when the authorities were not in know of any such conduct or activity of the complainant, is by itself indicative of their biased and perverse approach. The veil thrown by the empty high sounding vague and broad words that it was inexpedient or that the security was in danger will have to be torn out by the Tribunal for finding out the reality behind it.

12. In the second part of this plea the management has allowed as stated above that 'because of his detention under MISA his absence was a deliberate and wilful act on his part and such absence was not only unauthorised but wilful and deliberate'. Now wilful absence is defined as a major misconduct under Rule 29(1)(V) of the Standing Orders for Mines. If the ground for concluding that it was inexpedient to keep him in the service was 'misconduct' then the proper course was to lay a charge against him and then pass suitable orders after proper domestic enquiry. It was unfair to give it a cloak of an innocuous order of termination simpliciter under Rule 36 of the Standing Orders. In such a case the Tribunal is competent to peep behind the words for finding out the real nature of the order which has been passed by the employer. In the case of *Management of Munim Mills Ltd. Vs. Industrial Tribunal Madras* (6 SCLJ 3817) in a similar application under Sec. 33A of the Industrial Disputes Act the innocuous looking order of termination simpliciter passed in exercise of power of 'hire and fire' incorporated in 17A of the Standing Orders was held to be an order of punishment for misconduct and the action of the management was pronounced as colourable exercise of power to terminate the services of the workman under the provisions of the Standing Orders. View taken in this case was further approved in *L. Mischaal Vs. Johnston Pumps India Ltd.* (12 SCLJ 482) in very strong words. It was observed that two socially vital factors must inform the understanding and application of industrial jurisprudence and one of it was the security of employment which is the first requisite of the workers life. It was held that the manner of discharging an order does not matter. The Court will lift the veil to view the reality or substance of the order. Dealing with the question of loss of confidence which is much akin to the apprehensions against interest of security the Supreme Court observed in 1975 case cited above that—

"It is clear that loss of confidence is no new armour for the management; otherwise security of tenure ensured by the new industrial jurisprudence and authenticated by a catena of cases of this Court would be nullified by the management"

It is clear that loss of confidence is often a subjective feeling or individual reaction to an objective set of facts and motivations. The Court is concerned with the latter and not with the former."

In the present case this Court is not much concerned with the subjective feeling of the management aroused by mere detention under MISA as discussed above. It is concerned more with the objective set of facts and motivations which are totally wanting in the present case. As such I am of the view that this innocuous looking order of termination simplicitor is in fact an order of termination for misconduct covered by the provisions of Section 33(2)(b) of the Industrial Disputes Act.

13 Secondly, as admitted by both the parties (copy of the order No. OMQ/NM/2(B)/PF/77/1939 dated 4th April, 1977 has been placed on the record of this file) Shri Sukhwant Singh has been allowed to join the duties since April 1977 and the order of termination of his service has been cancelled. This by itself is indicative of the fact that the apprehension of the management that it was 'inexpedient' and against the interest of security' to continue him in employment was unreal and could not but be a lame excuse. The reasons so mentioned in the order were not genuine and such an order can hardly stand. Rule 36 of the Standing Orders requires reasons to be stated which means that reasons should be genuine and substantial. An order containing non-genuine reasons could hardly be an order under Rule 36 of the Standing Orders.

14 Much need not be said on this point because as said earlier the order dated 4th April, 1977 now cancels the original order of 3rd January, 1977 under which the service of Shri Sukhwant Singh was terminated. For reasons stated above, it is apparent that purported termination of service under Rule 36 of the Standing Orders was only a colourable exercise of power with a view to escape the rigors of Sec 33(2)(b) of the Industrial Disputes Act.

15 It is peculiar that the one who was considered to be a danger to security, all of a sudden lost that sting in the eye of the management within a short period of about 3 months.

16 It is, therefore, held that it was not a case of termination simplicitor under Rule 36 of the Standing Orders but was a termination for misconduct covered within the mischief of Section 33(2)(b) of the Industrial Disputes Act.

17 As the management failed to obtain approval of the said action from this Tribunal the termination is held to be in contravention of the provisions of Section 33(2)(b) and is therefore void. The complainant shall be deemed to have continued in service with all benefits of wages etc. The order dated 4th April, 1977 is, therefore, of no consequence specially because it cancels the termination order of 3rd January, 1977 with effect from 4th April, 1977 and imposes conditions with respect to the service and wages etc. for the intervening period when in fact the termination order should have been cancelled retrospectively with effect from the date on which it had been passed. The management shall pay Rs 100 as costs to the Complainant for driving him to this litigation unnecessarily. Award is given accordingly.

S. N. JOHRI, Presiding Officer
[No. L 26025/2/77-D III(B)]

New Delhi, the 3rd June, 1977

S.O. 2073—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jaipur, in the industrial dispute between the employers in relation to the management of the Tungston Khan Pariyojna, Government of Rajasthan, Degana and their workmen, which was received by the Central Government on the 18th May, 1977.

CENTRAL INDUSTRIAL TRIBUNAL NO. 1, RAJASTHAN, JAIPUR

Case No. CIT 30/72

Ref. Government of India, Ministry of Labour & Rehabilitation Department of Labour & Employment, New Delhi. Notification No. 10/47/70-IR IV dated 31-8-71

In the matter of an Industrial Dispute

BETWEEN

The Tungston Mine Workers Union, Degana (Nagaur District)

AND

The Tungston Mining Projects Government of Rajasthan, Khet Ki Bhakari Rewant Village, Degana, (Nagaur District).

PRESENT :

None—for the Union

Shri S. B. Agarwal—for the employer

Date of Award 2-5-1977

AWARD

By its notification quoted above, the Central Government has referred the following industrial dispute to this Tribunal for adjudication,

"(i) Whether the demand of the Tungston Khan Mazdoor Sangh, Degana, Nagaur for payment of wages at the rate of Rs. 3.50 for male and Rs. 3.00 for female worker of the Tungston Khan Pariyojna, Degana, District Nagaur is justified? If so the date from which the workers are entitled for those rates of wages? (ii) Taking also into account the financial position of the employer, whether the demand of the workmen (both male and female) for payment of dearness allowance in addition to the increased wages at the rates prescribed by the State Government for its employees is justified? If so, to what relief the workmen are entitled and from what date?"

The claim put forward by the Union is that the Tungston Mining Project, Degana, is an industry run by the State Government of Rajasthan. The project from the Mine is that of Tungston. It is a very profitable business for the State and the State has been reaping huge profits from it. The project employs a number of workmen. The workmen are paid at a much low rate. The male worker is paid Rs. 2/- while the female worker is paid Rs. 1.50 P. per day. This rate is paid to the workmen whether they are skilled or unskilled. The prices were soaring up. The cost of living was constantly increasing. Yet, the management of the Mine paid no dearness allowance to the workman to face the rising prices. No other facilities like medical leave, national holidays etc. are provided to the workmen by the employer. The reliefs claimed are that,

- 1 The male worker should be paid at the rate of Rs. 3.50 P. per day
- 2 The female worker should be paid at the rate of Rs. 3.00 per day
- 3 Dearness Allowance be paid at the rate prescribed by the State Government for its employees, and;
- 4 Any other relief thought proper

The claim of the Union was resisted by the employer. It was denied that the project was reaping huge profits from the work. It was alleged that the production in the project was very low and the mining cost was very high. The workers were doing paid at the revised wage rates fixed by the State Government in November, 1971. Each workman was paid Rs. 2.31 P. per day irrespective of the sex. Certain other pleas were also raised showing the reasons as to why the reference was not maintainable.

It was for the Union to adduce evidence in support of its demands. The Union was granted several adjournments to adduce evidence but no evidence was led in. For the last 4 and 5 hearings in the case, no body put appearance on behalf of the Union. It appears that the Union is no more interested in proceeding with and prosecuting this reference.

In the circumstances, there is no alternative left with me other than to give a "no dispute" award. A 'no dispute' award is therefore, passed. No order as to costs.

The award is submitted to the Central Government for publication, as required by law.

S. S. BYAS, Presiding Officer.
[No. 10/47/70-LR. N/D. III(B)]

New Delhi, the 18th June, 1977

S.O. 2074.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Central Government Industrial Tribunal Rajasthan, Jaipur in the industrial dispute between the employers in relation to the management of Jaipur Udyog Limited and their workmen which was received by the Central Government on the 18th May, 1977.

**CENTRAL INDUSTRIAL TRIBUNAL, RAJASTHAN,
JAIPUR**

Case No. CIT-6/1973

Ref :—Government of India Ministry of Labour and Rehabilitation, Department of Labour & Employment, New Delhi. Notification [No. L-2901(61)/72-LR. IV] Dated 11-1-73.

In the matter of an Industrial Dispute

BETWEEN

Cement Mine Karamchari Sangh, Sawai Madhopur

AND

Jaipur Udyog Limited, Sawai Madhopur.

APPEARANCE :

Shri Prem Kishan Sharma—For the Sangh.

Shri C. N. Sharma—For the Management.

Date of Award 13-4-1977

AWARD

By its notification, quoted above, the Government of India has referred the following industrial dispute to this Tribunal for adjudication.

Whether the following workmen of Phalodi quarry of Messrs Jaipur Udyog Limited, Sawai Madhopur, are eligible for the post of Mechanic in the high grade ?
If so, to what relief are they entitled ?

1. Shri Hari Shanker, Bulldozer Operator-cum-Mechanic.
2. Shri Sheetal Singh, Bulldozer Operator-cum-Mechanic.
3. Shri Mal Singh, Shovel Operator-cum-Mechanic.

The case of the three workmen, named above, was espoused by the Cement Mines Karamchari Sangh, Phalodi, and briefly stated, it is as follows.

The Employer M/s. Jaipur Udyog Limited runs a quarry at Phalodi, and for that purpose uses heavy machines including shovels, bulldozers and compressures etc. The three workmen concerned in this dispute were appointed nearly ten years ago as Operator-cum-Mechanics to operate the shovels and bulldozers. Since then, they were working in the same capacity. The main duty of the Operator cum Mechanic is to operate shovels and bulldozers. Along with it, the work of a mechanic is being also taken from them. The Employer also employs mechanics in the workshop. From mechanics, there is a channel of promotion as Assistant Foreman and Foreman. This promotion is available to the Mechanic and not to

the Operator-cum-Mechanic. The three workmen are qualified persons to be appointed as Mechanics. But, the management despite several demands made in that respect declined to appoint them as mechanics. A charter of demands was submitted to the management, but without any success. The matter was then taken to the Conciliation Officer, but no conciliation could be arrived at due to the stiff and non-cooperative attitude of the employer. The relief claimed is that the three workmen, Sarva Shri Malsingh, Sheetal Singh and Hari Shanker, be absorbed as Mechanics.

The claim was resisted by the employer. In its counter statement of claims, it was admitted by the management that the three workmen involved in the dispute were appointed as Operator-cum-Mechanics. It was further admitted that their main duty job is to operate shovels and bulldozers. In the discharge of their duties as such, they are required to carry out minor repairs in the machines under their charge. This is why, they are designated as Operator-cum-Mechanics. It was alleged that there are two separate cadres, one as Operator-cum-Mechanic and the other as Mechanic. The mechanic works in the Maintenance Section in making major repairs to the various type of machinery. The pay scales of both these cadres are the same. They are the highest as recommended by the Second Central Wage Board for Cement Industry, 1967. The post of the Mechanic is not higher to that of Operator-cum-Mechanic. Of course, the nature of duties is entirely different. Since the post of mechanic is not a post of promotion from that of Operator-cum-Mechanic, the question of absorbing the three workmen as Mechanic does not arise.

Both the parties adduced evidence in support of their respective claims. On behalf of the workmen's Union, four witnesses, viz., Sarva Shri Banwarilal, Harishanker, Malsingh and Sheetal Singh were examined. In rebuttal, the management examined three witnesses, Sarvashri Ramanlal, Bajranglal and Onkar Singh. The management also made the report of the Second Central Wage Board for Cement Factory, 1967, available to me.

I have heard the parties at length.

I need not discuss the evidence of the parties at length. It has been admitted by all the four witnesses of the Union that the three workmen concerned in the dispute have been placed in Grade 'A' as recommended in the above mentioned report. On page 61 of the aforesaid report, there are wage recommendations for operatives, Grade 'A' is the highest, both for mechanics and operators. Thus, there is no difference at all in the pay scales of operatives and mechanics. In view of the similarity of pay scale for both the cadres, the post of mechanic cannot be taken to be superior to that of Operator-cum-Mechanic. Learned representative for Union could not make out as to how the employee of one cadre can be absorbed in the other cadre. Moreover, no prejudice is caused to the three workmen by not absorbing them as Mechanics. The absorption, even if made, is not to result in any pecuniary benefit to them.

In the course of arguments, Shri C. N. Sharma, learned representative for the management, threw a good gesture by making the submission that in future whenever the post of a Mechanic or Assistant Foreman or Foreman falls vacant, these three workmen concerned in the dispute shall also be considered for absorption on the above posts. The learned representative for the Union expressed his willingness on this suggestion.

In the result, I pass the award in the following terms.

1. The three workmen, Sarva Shri Harishanker, Sheetal Singh and Malsingh, are not eligible for the post of Mechanic in the higher grade, because there is no post of Mechanic in the higher grade.

2. However, when the post of Mechanic, Foreman or Assistant Foreman falls vacant the management shall consider these three workmen for absorption on any such vacant post.

No order as to costs.

The reference is answered accordingly. The award is submitted to the Central Government for publication, as required by law.

S. S. BYAS, Judge

Presiding Officer

[No. L-29011/61/72-LR. IV/D. III B]
V. VELAYUDHAN, Under Secy.

New Delhi, the 3rd June, 1977

S.O. 2073.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Central Bank of India, Divisional Manager, Raipur and their workmen, which was received by the Central Government on the 31-5-1977.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, JABALPUR (M.P.)**

Case Ref. No. CGIT/LC(R)(2)/1975

PARTIES:

Employers in relation to the Management of the Central Bank of India through the Divisional Manager, Raipur and their workman Shri Satish Kumar Jha represented by the Madhya Pradesh Bank Employees Association, Raipur (M.P.)

APPEARANCES:

For Management.—S/Shri K. C. Dhondy, Chief Officer (Personnel) and P. C. Mishra, Incharge (Personnel).

For Union.—S/Shri P. N. Sharma President and C. M. Kapur, General Secretary, M.P. Bank Employees Association, Raipur.

INDUSTRY: Bank

DISTRICT: Raipur (M.P.)

Dated, the 25th May, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-12012/16/74-LR/III dated 7th January, 1975, seeking the adjudication of the following industrial dispute:—

"Whether the action of the management of the Central Bank of India, Raipur in terminating the services of Shri Satish Kumar Jha, with effect from the 11th May, 1973 is justified? If not, to what relief is he entitled?"

2 The undisputed facts of the case may be summarised as follows:

Shri Satish Kumar Jha was duly selected as a peon by the Divisional Manager, Raipur and was posted to the Raipur Main Branch where he joined his duties on 11th May, 1972. He was placed on probation for six months. This period of probation for six months was thus to expire on 10-2-1973. Prior to that on 2-2-1973 he was served with a memo to show cause about the defects in his working including the allegation that there was a general complaint from the members of the staff that his behaviour was not satisfactory. Explanation to these allegations was submitted by Shri Jha on 22nd March 1973. The same day a memo was issued extending his period of probation for a further period of three months. There is a dispute that this memo was duly served upon Shri Jha. However, it is a fact that he had the knowledge of such a memo. His service was ultimately terminated on the expiry of 11th May, 1973 i.e. after the lapse of period of nine months

and one day from the date on which he actually joined the duties

3. The Union took up the matter and raised a dispute before the Assistant Labour Commissioner who reported the failure of conciliation to the Government. The Government of India however informed vide its letter dated 28th May, 1974 that it did not consider the dispute fit for being referred for adjudication. Shri Jha then moved a mercy petition addressed to the Assistant General Manager (Personnel) Bombay on 25th September 1974. The Apex Union also took up the matter and there was exchange of letters between Shri Homi R. Jhaveri, Joint Secretary of the Apex Union and the Bank authorities. The Union leader had personal talks also. Shri Jhaveri sent Shri Jha with a letter to Shri R. P. Bhote, Zonal Manager. There an undertaking was obtained from Shri Jha on 9-11-1974 and he was given a fresh appointment at Vidisha as a temporary peon vide order dated 21-11-1974. This temporary appointment was extended for a few months, sometimes with a break of few days and then ultimately the appointment was allowed to lapse by efflux of time because of not granting further extension. It was during the period when Shri Jha was so working as a temporary peon at Vidisha that the present reference was made on 7-1-1975. It may be mentioned incidentally that prior to his appointment on pro-against him etc. On account of this illegal termination he was temporary peon at Balaghat for sometime.

4. Chronologically his working periods were as follows:—

- | | | |
|----------------|----|---|
| 1. At Balaghat | -- | From 17-5-72 to 16-6-72. |
| 2. At Raipur | — | From 11-8-72 to 11-5-73. |
| 3. At Vidisha | — | From 1-12-74 to 31-1-75 &
From 1-2-75 to 9-4-75. |

5. The case of the Union is that Shri Jha acquired the status of a permanent peon on the expiry of six months probation and in any case on the expiry of the extended period of probation which total could not be more than nine months according to Sastri Award. This nine months period expired on 10th May, 1973, hence the termination of his service on the expiry of 11th May, 1973 could not be justified as termination simpliciter because he was not found fit for being confirmed. Admittedly no charge was framed against him nor any domestic enquiry was held. There were malafide reports against him etc. On account of this illegal termination he was entitled to reinstatement with back wages.

6. Management's case is that there were reports against the unsatisfactory working of Shri Jha at Balaghat. Similar report was made by the Branch Manager, Raipur, with the added allegations of mis-behaviour with the members of the staff and similar adverse reports continue to pour in from Vidisha office as well. There were no malafides as he was tried at three different branches and lastly on the compulsion to ground because of the intervention of the Apex Union which had assured the management that there would be no such complaint against Shri Jha. There was correspondence between the Union office bearers and the management followed by personal discussions and assurances were given by the Union against the future misbehaviour of Shri Jha. They thus spelled out a private settlement between the concerned workman and the management with the help of the Union in pursuance of which temporary appointment was given to Shri Jha at Vidisha. Thus there remained no industrial dispute when the present reference was made. The management has challenged the validity of reference on this account. It is alleged that the Government of India had no jurisdiction to revise its first decision and make a reference. It is further alleged that in any case reinstatement of the workman would be inexpedient in the interest of the business of the Bank and will disturb discipline and smooth and peaceful working, wheresoever he is posted. It is on this account that it has been argued that the management is ready to pay whatever compensation the Tribunal is pleased to award but it will not like to have him back as an employee in the Bank.

7. The question of jurisdiction is taken up first for adjudication. The objection that the Government of India had taken a decision that the dispute did not merit a reference hence it was not competent for it to take a contra stand and make a reference, has no force. The previous decision of the Government of India is Ex. M/11 under which by its order No. L-12012/16/74/LR/III dated 28th May, 1974 it communicated to the Bank as well as to the Union that:

"the work and conduct of Shri Jha was not found satisfactory during his probationary period and as such the action of the management in terminating his services does not appear to be unjustified or mala-fide. In the circumstances, Central Government do not consider the dispute fit for reference to adjudication"

After the receipt of this order the Union appears to have made a representation dated 2nd July, 1974 to the Government of India, copy of it is Ex. W/2. In that representation it was pointed out as to how Shri Jha became an automatically confirmed employee with the expiry of the probation period and the legality of the termination of a permanent employee in this manner was certainly an industrial dispute worth reference. Government of India was thus convinced of the merits involved in the point raised by the Union, hence it made a reference. It is the settled law that the Government is always competent to reconsider its opinion and make such a reference. Previous refusal does not operate as a bar to the subsequent decision to make reference like the present one. It will be sufficient to refer to the observations of the Hon'ble Shelat J. made in *Gurumurthy Vs. Ramullu* (1958-I-LJ 20) that there is a considerable body of judicial opinion according to which so long as an industrial dispute exists or is apprehended and the Government is of the opinion that it is so, the fact that it had earlier refused to exercise its power does not preclude it from exercising it at a later stage and such a previous refusal does not affect the jurisdiction or the powers of the Government to make a reference subsequently. The Government had a right to change its mind if it subsequently found that its earlier decision was based on some misapprehension of facts or of the legal position. I am, therefore, of the view that the objection to the validity of the reference on this count has no legs to stand.

8. The management further raised the plea that the Union suppressed the fact that there had been a private settlement between the management and the workman under which he had accepted the temporary service at Vidisha, this suppression amounted to fraud and the reference obtained by fraudulent suppression of such facts could not be a valid reference. Moreover it is alleged that once there was a private settlement the dispute came to an end. Thus on 7-1-1975 when this reference was made there was no industrial dispute pending between the parties and this again adversely effected the validity of the reference. The twin points of attack are interwoven, hence they are taken up together for decision.

9. The dispute was raised by the Union and not by the workman under Sec. 2A of the Industrial Disputes Act. Though it was an individual dispute of the termination of one insignificant workman like a peon yet the matter was taken up by the Union because it had wider repercussions inasmuch as that would have rendered the safe guards provided in para 495 of Sastri Award as nugatory and would have jeopardized the security of service of all such probationers who automatically acquire the Status of permanent employee. To such an industrial dispute the concerned workman is not a party. Only the management and the Union are the parties. The order of reference also suggests that.

It was held in *Ram Prasad Vishwakarma Vs. Industrial Tribunal, Patna* (1961-I-LJ 504 at p. 507) that :

"the individual workman even if he is the concerned workman is no party to such a dispute at any stage independently of the Union."

Similar observations were made by the same High Court in *Eastern Manganese and Minerals Ltd. Vs. Industrial Tribunal* (1968-II-LJ 817 Patna at page 821). It was in the same spirit that the Madras High Court observed at page 502 in 1969-I-LJ 499 (*Workmen of Dalmia Cement Vs. State of Madras*) that once the dispute is raised by the Union the aggrieved workmen's request for reconsideration has no relevance as it will not make the dispute any less the industrial dispute. This individual workman in the present case, namely, Shri Jha, has no locus standi. He was not a party to the reference and any compromise or agreement made by him with the management cannot operate derogatory to the validity of the reference made at the instance of the Union.

10. It is argued that Shri Jha acted only as an instrument in the hands of the Union and in fact the agreement had taken place with the Union itself. This argument has no force and is not supported by the facts which emerged out

from evidence on the record. When the Government of India had first refused to make a reference the Union made a representation to the Government of India as discussed above that the reference should be made and obliged the Government to reconsider its decision. This step unambiguously established the intention of the Union to press for the industrial dispute, to its logical end. Meanwhile having pity on the grossly adverse financial circumstances of the concerned workman the Union took up the matter with the management every time pressing for his reinstatement. None of the letters addressed exhibit any tendency to compromise on this question of reinstatement. Ex. M/13 is the letter dated 24th October, 1974 sent by Shri Jhaveri, Joint Secretary of the Apex Union, to the Asstt. General Manager (Personnel), Bombay. There also he has categorically pressed for reinstatement. The peon himself moved a mercy petition Ex. M/12 on 25th September, 1974 praying for reinstatement. It appears from the letter Ex. M/4 dated 29th October, 1974 sent by Shri D. K. Contractor to Shri R. P. Bhote Shri D. K. Contractor of the Personnel Department between them about the question of reinstatement of Shri Jha. This was followed by a letter from Shri Jhaveri as mentioned above. The Personnel Department also appears to have written to Shri Bhote on this point enclosing the mercy petition of Shri Jha. This letter further indicates that when all these efforts converged into the hands of Shri R. P. Bhote Shri D. K. Contractor of the Personnel Department of the Central Bank of India wrote to Shri Bhote, Zonal Manager that he has advised Shri Jhaveri to instruct the concerned workman to see Shri Bhote, Zonal Manager, at Bhopal. Thus Shri Jha was sent to Bhopal not at the instance of the Union but at the instance of the Chief of the Personnel Department. The letter does not say that, anything less than the reinstatement, was to be discussed or compromised. Shri Contractor expressed at the end of this letter 'I am sure you will look into this matter in an unbiased and sympathetic manner at the same time keeping his past record and subsequent developments in view.' After all these efforts Shri Jha called upon Shri R. B. Bhote at Bhopal with letter of Shri Jhaveri dated 1-11-1974. That letter is Ex. M/28. This letter specifically mentions that 'However, after a great deal of discussions with you as well as with the Asstt. General Manager (Personnel), you agreed for his reinstatement on the condition that our Union should submit to the management a letter of undertaking for his good conduct and behaviour'. Shri Jhaveri writes that accordingly he had submitted such an undertaking to the Asstt. General Manager who was satisfied with the contents. The Asstt. General Manager thereupon had instructed Shri Jha to proceed to Bhopal and Shri Jhaveri expressed his extreme gratefulness if the matter was kindly reconsidered. The whole of this letter thus clearly indicates that what was agreed between the Union and the management was reinstatement simpliciter and not a fresh appointment. Had the management reinstated the workman on account of these efforts of the Union the dispute would have ended and then certainly the reference would have been void.

11. However, the events took an unfortunate turn. The poor peon who was on the threshold of starvation appears to have been pressed by the Zonal Manager to give the letter Ex. M/14 in writing signifying his consent for being again taken up in service. The Hindi words 'ATAH PRARTHAI KO PUNAH SEVA KA AVSAR DE KAR ANUGRAHEET KAR' appears to have been got introduced in the letter purposefully. They are capable of being interpreted in both ways. They can be interpreted to mean that Shri Jha prayed for being taken in service i.e. for reinstatement. On the other hand they can also be interpreted to mean that Shri Jha agreed for a fresh appointment. It appears that the concerned workman was thereby defrauded to agree to fresh appointment when he might be carrying an impression that he had applied for being reinstated. His acceptance of fresh appointment was under compelling situation and he raised no objection because of the promise that subsequently the question of reinstatement would be favourably considered. Thus even his consent was neither free nor unequivocal.

12. The letters exchanged between the Union and the Bank are said to be containing the elements of an agreement under which Shri Jha accepted the temporary service and the industrial dispute came to an end, but the above analysis would show that no such agreement between the union and the management was ever hatched out. Nor there is any

oral evidence to show that the union ever agreed prior to the date of reference to close down the dispute if Shri Jha was given a temporary appointment. On the contrary Shri Jhaveri, Joint Secretary of the Union in his letter dated 1-11-1974 which he sent with Shri Jha to Shri Rhoté, Zonal Manager, made it crystal clear that the Union was insistent on reinstatement only and the management had agreed to reinstate him. Thus there is absolutely no evidence on record to show that the union ever entered into any such agreement. This cuts at the root of the argument that the reference was invalid because the union entered into the alleged agreement before the reference and that fact was fraudulently suppressed from the Government.

13. If the concerned workman, Shri Jha, was trapped to agree for a temporary appointment which may subsequently be converted into reinstatement if his conduct was found satisfactory, such consent arising out of utter frustration due to the serious threat of starvation posed by the financial break down could hardly operate as an estoppel specially in the light of the hanging promise. Moreover as said above Shri Jha was never a party to the Industrial Dispute hence any agreement with him cuts notice so far as the dispute between the union and the management is concerned. It is further clear from the above analysis that this agreement with workman was not at the instance of the union. It is thus held that there was no such valid agreement between the union or at its instance with the management on or before 7-1-75 which could render the reference invalid.

14. Lastly there is a letter Ex. M/29 dated 28-1-75 written by Shri Jhaveri Union Joint Secretary to Shri Rao, Asstt. General Manager (Personnel) Zonal Office in which he stated that he had gone out hence the letter of the management informing the union of temporary appointment at Vidisha Ex. M/45 was received by him on or about 28-1-75. This shows that union received this information 21 days after the reference was made by the Government. There was thus no question of fraudulent suppression of the factum of alleged agreement.

15. Now in this letter Ex. M/29 the union leader thanked the Zonal Manager 'for paying personal attention in saving one's job'. This was so written because the Zonal Manager in his letter Ex. M/45 had assured the union that after trying on temporary appointment with usual breaks for a few months the question of Shri Jha's absorption shall be considered. This assurance was sufficient to raise a hope of restoration of continuity of service on some future date. The contract if any was thus at the executory stage. It was not an executed contract which could operate as a bar to the reference. Moreover this letter could only mean subsequent ratification of the agreement between Shri Jha and management. No such subsequent ratification has been pleaded nor there is any allegation that the reference which was initially valid became merged in an agreement created by such subsequent ratification. In the absence of such pleadings this aspect of the letter Ex. M/45 cannot be considered.

16. Moreover the union has no option but to express satisfaction with the first step of the management and wait for the ultimate restoration of continuity of service i.e. reinstatement which was the unflinching stand of the union. Unless the management ordered reinstatement there could be no meeting of minds nor an agreement in the true sense of the term. The fact that the Union continued to challenge the action of the management and press for reinstatement by filing a written statement before this Tribunal goes to show that the union never reconciled itself with the management's temporary measure and the letter Ex. M/29 did not spell out any agreement. For all the reasons stated above I am inclined to hold that the reference was valid and the Government was not defrauded to make it; workman's acceptance of temporary service created no unsurmountable hurdle in the making of the award in terms of the reference.

17. This brings us to the question whether termination order is void. Admittedly Shri Jha joined his duties at Raipur Branch on probation on 11-8-1972 for six months. The period of six months expired on 10-2-1973. No order of extension of probationary period was passed till 23-2-1973. Thus on 11-2-1973 he became a permanent employee vide Clause 495 of Sastri Award, the relevant portion of which runs as follows :

"In all other cases (i.e. when the period is not extended) probationers after the expiry of the period of six months should be deemed to have been confirmed, unless their services are dispense with on or before the expiry of the period of probation."

There could be no extension of probationary period after the expiry of the same an dwith retrospective effect. The clause requires that if the management decides to terminate the service it must do so before the expiry of the said period. It follows, that in case of extension the orders of extension should be passed before the expiry of the initial period of probation.

18. The extension was again not valid because the clause further requires that the consent of the probationer should be obtained in writing before ordering such extension of probationary period. No such consent was ever obtained. As soon as the probationary period expires the probationer as per Clause 495 becomes automatically confirmed. Such automatic confirmation cannot be rendered nugatory by subsequently (after about 10 days) passing an extension order with retrospective effect. The clause creates a vested right of permanency of service which cannot be snatched away by such an order.

19. Again if it is assumed that there was valid extension, that extended period expired on the expiry of 10-5-73. According to Clause 495 the extension could not be for more than 3 months. Thus on the expiry of 10-5-73 Shri Jha became a permanent employee automatically and there could be no such termination of his service on the expiry of 11-5-73 (as the order Ex. M/6 reads specifically). Thus both extension for more than three months and termination on the expiry of 11-5-73 are illegal and invalid orders.

20. It is argued that the provisions of Clause 495 of Sastri Award are only directory and such irregularities of one day are curable defects. The clause specifically lays down the consequence of failure to extend the period of probation or expiry of nine months of probation that the probationer shall stand automatically confirmed. Such a provision is only a mandatory provision and only the desired consequence shall follow. It was so held in case of Sri Baru Ram Vs. Smt. Parsanni (AIR 1959 SC 93 (96)). The provision confers a private right upon the probationer that he would be automatically deemed as confirmed on the expiry of the prescribed period. Such a provision laying down a period of limitation and conferring a right on the expiry of the said period cannot but be mandatory. It was held in Manilal Mohan Lal Shah Vs. Sardar Syed Ahmed (AIR 1954 SC 349) and in several other cases. The provision is thus mandatory and any breach of it would spell out fatal consequences to the validity of termination order. It is thus clear that the order of termination of service of Shri Jha was invalid and unenforceable.

21. Ordinarily the effect of such an order is reinstatement with back wages as was held in Management of Pentole Tea Estate Vs. Their Workmen (1971 (22) FLR 217. The Supreme Court considered in that case the circumstances when even inspite of wrongful dismissal the order of reinstatement can be withheld by a Tribunal. The Supreme Court laid down the guide line as follows :-

"The question whether on setting aside the wrongful dismissal of a Workman he should be reinstated or directed to be paid compensation is a matter within the judicial discretion of the Labour Court or the Tribunal, dealing with the industrial dispute, the general rule in the absence of any special circumstances being of reinstatement. In exercising this discretion, fair-play towards the employee on the one hand and interest of the employer, including considerations of discipline in the establishment, on the other, require to be duly safe guarded. This is necessary in the interest both of security of tenure of the employee and of smooth and harmonious working of the establishment. Legitimate interests of both of them have to be kept in view if the order is expected to promote the desired objective of industrial peace and maximum possible production. The past record of the employee, the nature of the alleged conduct for which action was taken against him, the duties performed by the employee concerned and the nature of the industrial establishment are some of the broad relevant factors which

require to be taken into consideration. The factors just stated are merely illustrative and it is not possible to exhaustively enumerate them. Each case has to be decided on its own facts and no hard and fast rule can be laid down to cover generally all conceivable contingencies. Proper balance has to be maintained between the conflicting claims of the employer and the employee without jeopardising the larger interests of industrial peace and progress. If the workman is entitled as a general rule to be reinstated after his wrongful dismissal is set aside and on the facts it is not possible to find cogent material on which the establishment can genuinely be considered to have lost confidence in the integrity of the workman he is entitled to be reinstated."

The management has taken the plea in para 25(e) of its written statement that it would be inexpedient in the interest of the Bank and will disturb discipline and smooth and peaceful working in the Bank to reinstate him. It will have to be examined whether on the facts of this case such apprehension is real and so grave as to call for refusal of the normal relief.

22. Shri Jha was at first posted and tried at Balaghat. The Agent of that Branch had no complaint against him about his behaviour and conduct. The complaint was that he was a raw hand and slow to pick up. The Agent wanted a trained hand. Such a complaint made after only 15 days of trial was of no consequence and in fact it did not come in the way of his selection to the regular cadre by the Divisional Office. There is absolutely no evidence to show that his selection was on compassionate grounds only. Thus the so called adverse confidential reports Ex. M/30 or Ex. M/32 at Balaghat are of no consequence.

23. Memo dated 2-2-73 (Ex. M/4) was given to Shri Jha by the Agent of Raipur in which for the first time a vague charge was laid down that there was a general complaint from the other members of the staff that his behaviour was not satisfactory. No particular incident was cited. Shri Jha in his reply Ex. M/5 made a categorical denial of the truth of such an allegation or about the allegations of lethargy etc. No enquiry was held. On this unproved allegation his probationary period was clumsily and illegally extended as discussed above.

24. Then there are some confidential reports from Vidisha with similar allegations. None of these confidential reports were brought to the notice of Shri Jha nor he was ever asked to explain the alleged facts. The management was rather worried about the intervention of the union and wanted to give a face lifting to their clumsy action and the poor stand that the man was not suitable. Such higher officers could well obtain such adverse reports from the Agent concerned at Vidisha. It is not clear why management was feeling shy of obtaining his explanation to specific instances and hold a sort of preliminary fact finding enquiry? All these unconfirmed reports cannot be the basis for denying the precious right of reinstatement. Even if he is reinstated he can always be dismissed after laying down and establishing specific charges for future misconduct if any. The business of the Bank is not going to be adversely affected by the reinstatement of such an indigent starving and penniless workman. It will be inhuman brutality to throw such a man and his family into the cannies of starvation and death.

25. It is, therefore, held that order of termination of his services so passed by the Bank was wholly illegal and void. The Bank is directed to reinstate Shri Jha with back wages with effect from 11-5-1973. However the back wages shall be paid after deducting the wages paid to him during his temporary appointment at Vidisha. The management shall pay Rs. 200 as costs to the Union for unnecessarily dragging it into this litigation which or deal could well be saved with a little of reason understanding, sympathy and human approach on the part of the officers who were more bureaucratic than not while managing such a public sector organisation. Award is given accordingly.

S. N. JOHRI, Presiding Officer
[F. No. 1-12012/16 74-IR II I/D UAT]

S.O. 2076.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the State Bank of India, Hyderabad and their workmen, which was received by the Central Government on the 26-5-77.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Industrial Dispute No. 10 of 1976

BETWEEN

U. Narsing Rao, Messenger, Workman of State Bank of India, Hyderabad—Petitioner.

AND

Management of State Bank of India, Hyderabad—Respondent.

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Challapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration the Court passed the following :—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. 1-12012/191/75/DII(A), dated 11th March, 1976 referred under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the employers in relation to the State Bank of India, Hyderabad and their workman to this Tribunal for adjudication :—

SCHEDULE

Whether the termination of services with effect from the 17th July, 1975 of Sri U. Narsing Rao, Messenger, by the management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?

2. The reference was registered as I. D. No. 10 of 1976 and notices were ordered to be issued to both the parties.

3. The workman filed a claims statement contending briefly as follows :—The workman was appointed as a Messenger in the Hyderabad Office. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the workman in July, 1975. Hence the workman prays for an award for his reinstatement with back wages and continuity of service.

4. On behalf of the management a Counter was filed contending as follows :—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of

the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5 The Workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bringing about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the workman when he was retrenched in 1975.

6 On the other hand the management's contention is that the workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7 Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make a reference, it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8 In Visakhapatnam District Marketing Co-operative Society Limited Vs Government of Andhra Pradesh (1977 Lawyers Reference, Page 69, Full Bench) it was held at page 79 as follows —

"Even if the Shops Act and I D Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the insertion of Section 2 A in the I D Act, whereby disputes raised by an individual workman in regard to termination of services which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1) of the I D Act in regard to the same. The dispute of an individual workman, in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore, no doubt that there is repugnancy to that extent between the Shops Act and the I D Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2 A of the I D Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishment Act, 1966 relating to the termination of the services of an employee of a Shop or establishment must prevail over Section 2 A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9 Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for

the workman, Sri P. Venkateswara Rao, admitted this fact at the first adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2 A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of service of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Sections 7 A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10 The obverse case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the Brindavan Hotel Workers' case. A brief report of the decision of the full Bench in that case appeared in The Indian Express dated 23.4.1977 and in The Hindu dated 25.4.1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union and, in the absence of such a Union a number of workmen wanted to espouse the dispute they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2 A, 7 A and 10(1)(d) of the Industrial Disputes Act, 1947.

11 For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12 A Nil Award is hereby passed rejecting the reference.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal this the 25th day of April, 1977.

K. P. NARAYANA RAO, B.A., B.L.

Industrial Tribunal

APPENDIX OF EVIDENCE

—Nil—

Industrial Tribunal

[F No L 12012/191/75-D II A]

New Delhi, the 4th June, 1977

SO 2077.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of the State Bank of India, Hyderabad and their workman, which was received by the Central Government on the 26-5-77.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

Industrial Dispute No. 6 of 1976

BETWEEN

Abdul Rasool, Manager —Workman of State Bank of India, Hyderabad

Petitioner

AND

Management of State Bank of India, Hyderabad

Respondent

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Chalapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the following :—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. L-12012/166/75/DI(A) dated 11th March, 1976 referred under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the employers in relation to the State Bank of India, Hyderabad and their Workman to this Tribunal for adjudication :—

SCHEDULE

Whether the termination of services with effect from the 23rd July 1975 of Sri Abdul Rasool, Messenger by the Management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?

2. The reference was registered as Industrial Dispute No. 6 of 1976 and notices were ordered to be issued to both the parties.

3. The workman filed a claims statement contending briefly as follows :—The workman was appointed as a messenger in the Hyderabad Office in 1970. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the workman in July, 1975. Hence the workman prays for an Award for his reinstatement with back wages and continuity of service.

4. On behalf of the management a Counter was filed contending as follows.—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bringing about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make a reference, it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows :—

"Even if the Shops Act and I.D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy tantamount to by reason of the insertion of Section 2-A in the I.D. Act whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1) of the I.D. Act in regard to the same. The disputes of an individual workman, in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore, no doubt that there is repugnancy to that extent between the Shops Act and the I.D. Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I.D. Act refers.

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2-A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of services of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act 1966.

10. The obverse case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the Bindavan Hotel Workers' case. A brief report of the decision of the Full Bench in that case appeared in The Indian Express dated 23-4-1977 and in The Hindu dated 25-4-1977. It was held by the Full

Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union and, in the absence of such a Union a number of workmen wanted to espouse the dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2-A, 7-A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12. A Nil Award is hereby passed rejecting the reference.

APPENDIX OF EVIDENCE

—NII.—

K. P. NARAYANA, Industrial Tribunal

[F. No. L-12012/166/75-D.II A.]

S.O. 2078.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the State Bank of India, Hyderabad and their workman, which was received by the Central Government on the 26-5-77.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT
HYDERABAD

PRESENT :

Industrial Dispute No. 7 of 1976.

BETWEEN

Parasha Ramula, Messenger, Workman of the State Bank
of India, Hyderabad. ... Petitioner

AND

Management of State Bank of India,
Hyderabad. ... Respondent

The case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Chalapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the following :—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. L-12012/168/75/D. II/A, dt. 11th March, 1976 referred under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the employers in relation to the State Bank of India, Hyderabad and their Workman to this Tribunal for adjudication.

SCHEDULE

Whether the termination of service with effect from the 23rd July, 1975 of Shri Parasha Ramula, Messenger, by the Management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?

2. The reference was registered as I.D. No. 7/76 and notices were ordered to be issued to both the parties.

3. The Workman filed a claims statement contending briefly follows. The workman was appointed as a Messenger in the Hyderabad Office. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the Workman in July, 1975. Hence the Workman prays for an Award for his reinstatement with backwages and continuity of service.

4. On behalf of the management a Counter was filed contending as follows :—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The Workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of blinding about artificial breaks in service in order to make it appear that the Workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the Workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the Workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make a reference it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows :—

"Even if the Shops Act and I.D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the

insection of Section 2-A in the I.D. Act, whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1)(c) of the I.D. Act in regard to the same. The disputes of an individual workman, in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore, no doubt that there is repugnancy to that extent between the Shops Act and the I. D. Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason by Clause(2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I. D. Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute is not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2-A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of services of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10. The obverse case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the Brindavan Hotel Workers' case. A brief report of the decision of the Full Bench in that case appeared in The Indian Express dated 23-4-1977 and in The Hindu dated 25-4-1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union and in the absence of such a Union a number of workmen wanted to espouse the dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act 1966 and not by way of proceedings under Sections 2-A, 7-A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12. A "Nil Award" is hereby passed rejecting the reference.
25th April, 1977.

APPENDIX OF EVIDENCE

—Nil—

K. P. NARAYANA RAO, B.A., B.L., Industrial Tribunal.
[F. No. I-12012/168/75-D.II.A]

S.O. 2079.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of the State Bank of India, Hyderabad and their workman, which was received by the Central Government on the 26-5-77.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDRABAD

Industrial Dispute No. 8 of 1976

BETWEEN

Noorulla Shariff, Messenger, Workman of State Bank of India, Hyderabad. Petitioner,

AND

Management of State Bank of India, Hyderabad. Respondent.

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K Chalapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the following :—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. I-12012/188/75/DII(A), dated 11th March, 1976 referred under Sections 7-A and 10(1)(d) of the Industrial Disputes Act 1947 the following dispute existing between the employers in relation to the State Bank of India Hyderabad and their Workman to this Tribunal for adjudication.

SCHEDULE

Whether the termination of services with effect from the 5th August, 1975 of Shri Noorulla Shariff, Messenger by the Management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?

2. The reference was registered as I.D. No. 8/76 and notice were ordered to be issued to both the parties.

3. The Workman filed a claims statement contending briefly as follows:—The Workman was appointed as a Messenger in the Hyderabad Office. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the Workman in August, 1975. Hence the Workman prays for an Award for his reinstatement with back wages and continuity of service.

4. On behalf of the management a Counter was filed contending as follows:—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon

the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all level. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panel for being considered for permanent/temporary/daily wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The Workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bringing about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the Workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the Workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make a reference it was alleged to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In *Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh* (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows :—

"Even if the Shops Act and I.D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the insertion of Section 2-A in the I.D. Act, whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1) of the I.D. Act in regard to the same. The disputes of an individual workman in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore no doubt that there is repugnancy to that extent between the Shops Act and the I.D. Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I.D. Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workman. Hence the reference falls squarely within the ambit of Section 2-A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of services of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the service of this workman cannot be gone into by this Tribunal in a reference under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10. The obverse case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the *Brindavan Hotel Workers' case*. A brief report of the decision of the Full Bench in that case appeared in *The Indian Express* dated 23-4-1977 and in *The Hindu* dated 25-4-1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union and, in the absence of such a Union a number of workmen wanted to espouse. The dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Section 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2-A, 7-A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12. A "Nil Award" is hereby passed rejecting the reference.

Dictated to the Stenographer, transcribed by him, and corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of April, 1977.

APPENDIX OF EVIDENCE.

—Nil—

K. P. NARAYANA RAO, B.A., B.L., Industrial Tribunal

[F. No. 1-12012/188/75-D.I.A.]

S.O. 2080.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of the State Bank of India, Hyderabad and their workman which was received by the Central Government on the 26-5-77.

**BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDRABAD**

Industrial Dispute No. 9 of 1976

BETWEEN

S. Anji Reddy, Messenger, Workman of State Bank of India, Hyderabad. .. Petitioner,

AND

Management of State Bank of India, Hyderabad.

.. Respondent.

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Chalapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the following:—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. L-12012/190/75/DII(A), dated 11th March, 1976 referred under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the employers in relation to the State Bank of India, Hyderabad and their workman to this Tribunal for adjudication.

SCHEDULE

Whether the termination of services with effect from the 9th August, 1975 of Shri S. Anji Reddy, Messenger, by the management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?

2. The reference was registered as I.D. No. 9/76 and notices were ordered to be issued to both the parties.

3. The Workman filed a claims statement contending briefly as follows:—The workman was appointed as a messenger in the Hyderabad Office. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the workman in August, 1975. Hence the workman prays for an Award for his reinstatement with backwages and continuity of service.

4. On behalf of the management of Counter was filed contending as follows:—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily wage appointments as and when necessary.

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The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The Workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bringing about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work-load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make reference, it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows:—

"Even if the Shops Act and I.D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the insertion of Section 2-A in the I.D. Act, whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1) of the I.D. Act in regard to the same. The disputes of an individual workman, in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore no doubt that there is repugnancy to that extent between the Shops Act and the I.D. Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I.D. Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment.

Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2-A of Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of services of an employee. Under Section 40 of the said Act in view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10. The obverse case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the Brindavan Hotel Workers' case. A brief report of the decision of the Full Bench in that case appeared in The Indian Express dated 23-4-1977 and in The Hindu dated 25-4-1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his service, he could do so only under the former Act and that however if a worker Union and, in the absence of such a Union a number of workmen wanted to espouse the dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2-A, 7-A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claims cannot be adjudicated upon in these proceedings.

12. A "Nil Award" is hereby passed rejecting the reference.

Dictated to the Stenographer, transcribed by him, and corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of April, 1977.

Industrial Tribunal,

APPENDIX OF EVIDENCE

—Nil—

K. P. NARAYANA RAO, B.A., B.L., Industrial Tribunal

[F No. L-12012/190/75-D. II. A.]

New Delhi, the 6th June, 1977

S.O. 2081.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the Industrial dispute between the employers in relation to the management of the State Bank of India, Hyderabad and their workman which was received by the Central Government on the 26-5-1977.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Industrial Dispute No. 5 of 1976

BETWEEN

G. Malleswar Rao, Messenger, Workman of State Bank of India, Hyderabad. Petitioner,

AND

Management of State Bank of India, Hyderabad. Respondent.

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Chalapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the following:—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. L-12012/169/75-D.IIA, dated 19th February, 1976 referred under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the employers in relation to the State Bank of India, Hyderabad and their workman to this Tribunal for adjudication:—

SCHEDULE

Whether the termination of service with effect from the 23rd July, 1975 of Sri G. Malleswar Rao, Messenger, by the management of the State Bank of India, Hyderabad is unjustified or is it a case of retrenchment without complying with the provisions of section 25F of the Industrial Disputes Act, 1947 (14 of 1947)? In either case, to what relief is the said workman entitled?

2. The reference was registered as Industrial Dispute No. 5 of 1976 and notices were ordered to be issued to both the parties.

3. The workman filed a claims statement contending briefly as follows:—The workman was appointed as a Messenger in the Hyderabad Office on 20-8-1973. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. **Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service.** The State Bank of India illegally retrenched the workman in July, 1975. Hence the workman prays for an Award for his reinstatement with backwages and continuity of service.

4. On behalf of the management a Counter was filed contending as follows:—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily-wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have

worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The Workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bringing about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work-load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service/or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee, whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishment Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make a reference, it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows :—

"Even if the Shops Act and I.D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the insertion of Section 2-A in the I.D. Act, whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1) of the I.D. Act in regard to the same. The disputes of an individual-workman, in regard to termination of service squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore, no doubt that there is repugnancy to that extent between the Shops Act and the I.D. Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I.D. Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and

Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2-A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of services of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10. The obverse case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the Brindavan Hotel Workers' case. A brief report of the decision of the Full Bench in that case appeared in The Indian Express dated 23-4-1977 and in The Hindu dated 25-4-1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union and, in the absence of such a Union, a number of workmen, wanted to espouse the dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2-A, 7-A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12. A Nil Award is hereby passed rejecting the reference. Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of April, 1977.

Industrial Tribunal

APPENDIX OF EVIDENCE

- Nil—

K. P. NARAYANA RAO, B.A., B.L., Industrial Tribunal

Industrial Tribunal

[F. No. L-12012/169/75-D. II. A.]

S.O. 2082.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of the State Bank of India, Hyderabad and their workman, which was received by the Central Government on the 26-5-77.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Industrial Dispute No. 11 of 1976

BETWEEN

S. P. Pentiah, Messenger, Workman of State Bank of India, Hyderabad. Petitioner.

AND

Management of State Bank of India, Hyderabad.

Respondent.

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Chalapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the following :—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. L-12012/192/75/DII(A), dated 11th March, 1976 referred under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the employers in relation to the State Bank of India, Hyderabad and their workman to this Tribunal for adjudication :—

SCHEDULE

"Whether the termination of services with effect from the 5th August 1975 of Sri S. P. Pentiah, Messenger, by the management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?"

2. The reference was registered as Industrial Dispute No. 11 of 1976 and notices were ordered to be issued to both the parties.

3. The workman filed a claims statement contending briefly as follows :—The workman was appointed as a messenger in the Hyderabad Office. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the workman in August, 1975. Hence the workman prays for an award for his reinstatement with back-wages and continuity of service.

4. On behalf of the management a Counter was filed contending as follows :—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bringing about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work load, that the appointment, was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee, whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make a reference it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows :—

"Even if the Shops Act and I.D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the insertion of Section 2-A in the I.D. Act, whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(i) of the I.D. Act in regard to the same. The disputes of an individual workman, in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore, no doubt that there is repugnancy to that extent between the Shops Act and the I.D. Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I.D. Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2-A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termi-

nation of services of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10. The observe case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the Brindivan Hotel Workers' case. A brief report of the decision of the Full Bench in that case appeared in The Indian Express dated 23-4-1977 and in The Hindu dated 25-4-1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union and, in the absence of such a Union a number of workmen wanted to espouse the dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2-A, 7-A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12. A nil award is hereby passed rejecting the reference.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of April, 1977.

K. P. NARAYANA, RAO, B.A., B.L.,
Industrial Tribunal.

APPENDIX OF EVIDENCE

—NIL—

K. P. NARAYANA RAO, B.A., B.L.,
Industrial Tribunal.

(F. No. L-12012/192/75-D. II.A)

S.O. 2083.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of the State Bank of India, Hyderabad and their workman, which was received by the Central Government on the 26-5-77.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Industrial Dispute No. 12 of 1976

BETWEEN

Shaik Allabaksh, Messenger, Workman of State Bank of India, Hyderabad. Petitioner.

AND

Management of State Bank of India, Hyderabad.

Respondent.

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Chalapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the following :—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No L-12012/193/75/DII(A), dated 11th March 1976 referred under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the employers in relation to the State Bank of India, Hyderabad and their workman to this Tribunal for adjudication:—

SCHEDULE

Whether the termination of services with effect from 27th July, 1975 of Sri Shaik Allabaksh, Messenger, by the management of the State Bank of India, Hyderabad, is justified? If not, to what relief is the said workman entitled?

2. The reference was registered as Industrial Dispute No. 12 of 1976 and notices were ordered to be issued to both the parties.

3. The workman filed a claims statement contending briefly as follows:—The workman was appointed as a messenger in the Hyderabad Office. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages were denied to him when he went on leave and even for weekly holidays and public holidays, with the mala fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the workman in July, 1975. Hence the workman prays for an award for his reinstatement with backwages and continuity of service.

4. On behalf of the management a Counter was filed contending as follows:—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has not right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bunging about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, and argument was advanced that since this is an individual dispute relating to termination of services of an employee, whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law affecting the very competence of the Government to make a reference it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows :—

"Even if the Shops Act and I.D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the insertion of Section 2-A in the I.D. Act, whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1) of the I.D. Act in regard to the same. The disputes of an individual workman, in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore, no doubt that there is repugnancy to that extent between the Shops Act and the I.D. Act. In view of the fact that the Shops Act has been assented to by the President, the provisions of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I.D. Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of services of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Sections 7-A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10. The obverse case has also been dealt with by a later Full Bench of the High Court of Andhra Pradesh in what is known as the Brindavan Hotel Workers' case. A brief

report of the decision of the full Bench in that case appeared in The Indian Express dated 23-4-1977 and in the Hindu dated 25-4-1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union and, in the absence of such a Union a number of workmen wanted to espouse the dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2-A, 7-A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12. A nil award is hereby passed rejecting the reference.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of April, 1977.

K. P. NARAYANA RAO, B.A., B.L.,

Industrial Tribunal

APPENDIX OF EVIDENCE

—Nil—

K. P. NARAYANA RAO, B.A., B.L.,

Industrial Tribunal

[I. No. L-12012/193/75-D.II.A]

S.O. 2084.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Hyderabad in the industrial dispute between the employers in relation to the management of the State Bank of India, Hyderabad and their workman, which was received by the Central Government on the 26-5-77.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

Industrial Dispute No. 13 of 1976

BETWEEN

P. Gopal Reddy, Messenger, Workman of State Bank of India, Hyderabad.
Petitioner.

AND

Management of State Bank of India,
India, Hyderabad.
Petitioner.

This case coming on for final hearing before me on 25-4-1977 in the presence of Sri K. Chilapathi Rao, Law Officer for the Respondent, the representative of the workman being absent and having stood over to this day for consideration, the Court passed the followings—

AWARD

The Government of India, Ministry of Labour, New Delhi through its Order No. L-12012/194/75/DII(A) dated 11th March, 1976 referred under Section 7-A and 10(1)(d) of

the Industrial Disputes Act 1947 the following dispute existing between the employer, in relation to the State Bank of India, Hyderabad and their workman to this Tribunal for adjudication :—

SCHEDULE

Whether the termination of services with effect from the 17th July, 1975 by S. P. Gopal Reddy, Messenger by the management of the State Bank of India, Hyderabad is justified? If not to what relief is the said workman entitled?

2. The reference was registered as Industrial Dispute No. 13 of 1976 and notices were ordered to be issued to both the parties.

3. The workman filed a claims statement contending briefly as follows:—The workman was appointed as a messenger in the Hyderabad Office. He put in a continuous service of one year. During the period of his employment his seniority was not properly maintained. Wages denied to him when he went on leave and even for weekly holidays and public holidays with the male fide intention of showing illegal breaks in service. The State Bank of India illegally retrenched the workman in July, 1975. Hence the workman prays for an award for his reinstatement with backwages and continuity of service.

4. On behalf of the management of Counter was filed contending as follows:—The Bank has been making appointments on casual basis from the panel of names forwarded by the Employment Exchange. The appointments are made temporarily and the period of appointment depends upon the availability of work. Services automatically cease on the expiry of the period since the appointment is for a particular period depending upon the availability of work. The candidate has no right to be employed for any length of time, nor has he been appointed on a regular basis so as to give rise to the plea that his services have been terminated. As a result of various measures instituted for improving productivity and minimising wastage, it transpired that there was surplus staff at all levels. Hence the need for making temporary appointments frequently is not felt. The candidates continued to be on the panels for being considered for permanent/temporary/daily wage appointments as and when necessary. The question of retrenchment does not therefore arise and they are not entitled to any retrenchment compensation. There is no question of this casual employee being in the service of the bank, much less in continuous service. He cannot be treated as having put in any continuous service, irrespective of the fact that he might have worked for 240 days in any particular year. Some of the candidates have since been absorbed. The other allegations in the claims statement are denied. It is therefore requested that the claim may be rejected.

5. The workman's contention is that since the date of his original appointment he was in continuous service for one year and above upto the date of his removal from service which he characterises as retrenchment, and that salary was denied to him by the management of the State Bank of India, Hyderabad for leave days and for festival and public holidays with the sole object of bringing about artificial breaks in service in order to make it appear that the workman did not have 240 days of continuous service. It is also contended that no retrenchment compensation was paid to the workman when he was retrenched in 1975.

6. On the other hand the management's contention is that the workman was a casual employee appointed purely on a temporary basis in order to meet the requirements of the work load, that the appointment was for a specific period on the expiry of which it automatically ceased and that there is no question of either continuity of service or payment of retrenchment compensation.

7. Though a specific plea in that regard has not been taken by the management in its counter, an argument was advanced that since this is an individual dispute relating to termination of services of an employee whether casual or regular, the remedy available to the aggrieved workman is not by way of proceedings under the Industrial Disputes Act, 1947 and that on the other hand the remedy is the one provided under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966. Since this is purely a question of law

affecting the very competence of the Government to make a reference it was allowed to be advanced notwithstanding the fact that it was not specifically adverted to in the management's counter.

8. In Visakhapatnam District Marketing Co-operative Society Limited Vs. Government of Andhra Pradesh (1977 Lawyers' Reference, Page 69, Full Bench) it was held at page 79 as follows :—

"Even if the Shops Act and I. D. Act do not coincide in regard to the entire field they cover, the question which still arises for our consideration is whether there is any repugnancy pro tanto by reason of the insertion of Section 2-A in the I. D. Act, whereby disputes raised by an individual workman in regard to termination of services, which are not espoused by the Union or by other workmen, are also brought within the ambit of that Act so that a reference can be made under Section 10(1) of the I. D. Act in regard to the same. The disputes of an individual workman, in regard to termination of services squarely fall within the field covered by Sections 40 and 41 of the Shops Act and, we have therefore, no doubt that there is repugnancy to that extent between the Shops Act and the I. D. Act. In view of the fact that the Shops Act has been assented to by the President, the provision of the Shops Act must prevail by reason of Clause (2) of Article 254 of the Constitution, in regard to disputes of an individual workman to which Section 2-A of the I. D. Act refers."

Finally it was held that the provisions of the Andhra Pradesh Shops and Establishments Act, 1966 relating to the termination of the services of an employee of a shop or establishment must prevail over Section 2-A of the Industrial Disputes Act, 1947 and over the other provisions of that Act in so far as the same are attracted by reason of the said Section 2-A.

9. Section 2(10) of the Andhra Pradesh Shops and Establishments Act, 1966 contains the definition of an establishment and the definition includes a commercial establishment. Section 2(5) of the said Act provides that a banking establishment is a commercial establishment. It is stated by the learned representative of the State Bank of India, Hyderabad that this bank is a commercial establishment and was also registered as such under the Andhra Pradesh Shops and Establishments Act, 1966. Even the learned representative for the workman, Sri P. Venkateswara Rao, admitted this fact at the last adjournment. It is further admitted that the reference is about an individual dispute relating to the termination of the services of a workman and that the dispute was not sponsored either by the Union or by a group of workmen. Hence the reference falls squarely within the ambit of Section 2A of the Industrial Disputes Act, 1947. Section 40 of the Andhra Pradesh Shops and Establishments Act, 1966 lays down the conditions for terminating the services of an employee and Section 41 of the said Act provides for the establishment of an authority by the Government for hearing and deciding appeals arising out of termination of services of an employee under Section 40 of the said Act. In view of the aforesaid decision of the Full Bench it necessarily follows that the question of the legality, propriety or otherwise of the termination of the services of this workman cannot be gone into by this Tribunal in a reference under Section 7A and 10(1)(d) of the Industrial Disputes Act, 1947 and that the question has to be raised by the concerned workman only before the authority constituted under Section 41 of the Andhra Pradesh Shops and Establishments Act, 1966.

10. The obverse case has also been dealt with by a latter Full Bench of the High Court of Andhra Pradesh in what is known as the Brindavan Hotel Workers' case. A brief report of the decision of the Full Bench in that case appeared in The Indian Express dated 23-4-1977 and in The Hindu dated 25-4-1977. It was held by the Full Bench in that case that if a workman governed both by the Andhra Pradesh Shops and Establishments Act, 1966 and by the Industrial Disputes Act, 1947 wanted to raise an individual dispute relating to termination of his services, he could do so only under the former Act and that however if a workers' Union

and, in the absence of such a Union a number of workmen wanted to espouse the dispute, they could do so only under the latter enactment. This decision also fortifies the conclusion that the remedy available to the present workman is only by way of proceedings under Sections 40 and 41 of the Andhra Pradesh Shops and Establishments Act, 1966 and not by way of proceedings under Sections 2A, 7A and 10(1)(d) of the Industrial Disputes Act, 1947.

11. For the reasons mentioned above, I hold that the present reference is incompetent and that the concerned workman's claim cannot be adjudicated upon in these proceedings.

12. A nil award is hereby passed rejecting the reference.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of April, 1977.

K. P. NARAYANA RAO, B.A., B.L.,

Industrial Tribunal.

APPENDIX OF EVIDENCE

K. P. NARAYANA RAO, B.A., B.L.,

Industrial Tribunal.

[F. No. I-12-12/194/75-D.IIA]

R. P. NARULA, Under Secy.

ELECTION COMMISSION OF INDIA

New Delhi, the 2nd June, 1977

S.O. 2085.—In pursuance of clause (b) of subsection (2) of section 116C of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the order dated 18 March, 1977 of the Supreme Court of India in the appeal from the Judgment and Order dated 17 September, 1976 of the High Court of Punjab and Haryana at Chandigarh in Election Petition No. 2 of 1976:—

"IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1337 OF 1976

Harbans Singh Jalal & Ors

Appellants.

Versus

Smt. Ambika Soni

Respondent.

ORDER

The appeal is dismissed for non-prosecution with no order as to costs.

Sd/-

Y. V. CHANDRACHUD J.

New Delhi.

March 18, 1977.

Sd/-

P. N. SHINGAL, J."

By Order,

[No. 82/PB/2/76]

V. NAGASUBRAMANIAN, Secy.